

3 1761 11630674 7









Digitized by the Internet Archive  
in 2023 with funding from  
University of Toronto

<https://archive.org/details/31761116306747>









No. 1

N° 1

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 9 May 2002**

**Jeudi 9 mai 2002**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers





**HANSARD REPORTING AND INTERPRETATION SERVICES  
SERVICE DU JOURNAL DES DÉBATS ET D'INTERPRÉTATION**

Director / Directeur

**Richard Copeland**

Managing Editor / Rédactrice en chef

**Deborah Caruso**

Coordinator, Index and Reference /

Coordonnatrice (index et recherches)

**Estelita Chan**

Administrative assistant / Adjointe administrative

**Susan Bercasio**

Administrative assistant, Interpretation /

Adjointe administrative, interprétation

**Maryvonne Urban**

Copy room staff /

Personnel du service de reprographie

**Fazeer Khan, William Ross**

Interpreters / Interprètes

**Peter Couto, Delia Roy Ibarra, Raghu Krishnan,**

**Massimo Panzino, Chantal Smieliauskas**

Associate Editors / Adjoints à la rédaction

**Peggy Brooks, Steve Smal**

Editorial staff / Personnel de la rédaction

**Rhonda Bell, Liese Binnie,**

**Karen Bennett, Carolyn Brown,**

**Bob Bubba, Arlene Cedilnik,**

**Karen Fischer, Margaret Grobicka,**

**Tim Humphries, Arleen Oostwoud,**

**Emily Pless, Margaret Prince,**

**Fiji Robinson, Jane Shorten,**

**Janice Spellerberg, Darlene Tansey,**

**Lorraine Wills, David Woodruff,**

**Sharon Wyatt**

Index and reference staff /

Personnel de l'index et des recherches

**Barry Blackwell, Rosalind Guldner,**

**Aida Lozano, Lynda Middleton**

---

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
3330 Whitney Block, 99 Wellesley St W  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
3330 Édifice Whitney ; 99, rue Wellesley ouest  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 9 mai 2002

*The first day of the third session of the 37th Parliament of the province of Ontario commenced at 1330 pursuant to a proclamation of the Honourable James K. Bartleman, Lieutenant Governor of the province.*

*His Honour the Lieutenant Governor was pleased to open the session by reading the speech from the throne.*

### SPEECH FROM THE THRONE DISCOURS DU TRÔNE

**Hon James K. Bartleman (Lieutenant Governor):**  
Mr Speaker, members of the Legislative Assembly, citizens of Ontario:

Across Ontario, people have begun tending their gardens and greeting their neighbours over fences. Soccer and baseball fields and neighbourhood streets are filled with the sounds of children playing. Communities all across Ontario are celebrating the start of spring, even on a rainy Thursday afternoon.

It is an honour to stand before you in a new session before a new government as Her Majesty's representative to open this, the third session of the 37th Parliament, and deliver the speech from the throne.

On behalf of our sovereign, I welcome all members to this House today and recognize two former members who have recently retired from public life.

Michael Harris served as the member for Nipissing for more than two decades and as the Premier of Ontario for almost seven years. His bold and historic reforms put our province back on track, and his strong leadership forever changed Canadian politics. Former Premier Harris continues to show his commitment to the people of Ontario by chairing Ontario's Promise.

For 12 years David Tilson served the people of Dufferin-Peel-Wellington-Grey with dedication and hard work on both sides of this House. We thank him for his years of faithful service to his constituents, to the people of Ontario and to the traditions of the Legislature.

On behalf of their constituents, all members in this place share the common goal of creating a better Ontario. In acknowledgement of this important contribution, your government wants the role of private members in the Legislature enhanced.

Since this House last met, we have been saddened by the loss of five former members:

Kenneth Bryden, MPP for Woodbine. Kenneth was a deep thinker, a concerned member of his community and an example of active citizenship.

Edward R. Good, MPP for Waterloo North. Edward served as a second lieutenant with the Royal Canadian Artillery during World War II. The people of Kitchener remember him as a gentleman and a tireless worker.

Lorne Henderson, MPP for Lambton and Minister of Agriculture. Lorne was a farmer, and other farmers knew they could always count on him to champion their needs.

Ross Mackenzie Whicher, member for Bruce in both the provincial and federal Legislatures and a former mayor of Wiarton. Ross believed in the importance of community, as he showed in his life and work.

Harry Worton, MPP for Wellington South, was a statesman who served as a member for 30 years and was loved and respected by his colleagues on both sides of this House.

Among them, these members served the people of Ontario and their ridings for 82 years and shared a deep love of our great province.

We remember others who have meant much to Ontario and its citizens.

We remember the Queen Mother. Born at the beginning of the last century, her courage during the darkest days of World War II and lifelong compassion for others were the true source of her nobility.

In February, Her Royal Highness Princess Margaret, Countess of Snowdon, passed away after a lengthy illness. The Princess had visited here on several occasions, often visiting patients at the hospital named for her.

We also think of the Honourable Pauline McGibbon, who served this province as Lieutenant Governor from 1974 to 1980. She touched the lives of people all across Ontario with her wisdom and warmth. The first female vice-regal representative in the Commonwealth, she was a model for many.

There are other role models who risk their lives every day to protect our communities and our country.

This past weekend, Ontario honoured Toronto Police Services Constable Laura Ellis, who died while responding to an emergency call, and Constable Millard Brennan, who lost his life in the line of duty in 1951. On Tuesday, we learned of another loss. First Nations Constable Paul Neudert from the Walpole Island Police Service died in a tragic car accident near Wallaceburg while on duty. Our thoughts are with his family and friends.

We must never forget the sacrifices our police officers make and we express our gratitude to all the women and men in uniform across Ontario, ever mindful of the



words on the Ontario Police Memorial—"Heroes in life, not death."

We must not forget firefighters who have lost their lives ensuring people's safety. This year, your government will work with the fire services community to create a firefighters' memorial on the grounds of Queen's Park.

Our hearts go out to the families of Sergeant Marc Léger, Corporal Ainsworth Dyer, Private Richard Green and Private Nathan Smith, the four members of Canada's Armed Forces killed in Afghanistan. Together with the more than 112,000 Canadian soldiers killed in combat and the 108 who have died in peacekeeping missions, they remind us that we must often pay a great price to keep the peace and protect our freedoms.

On September 11, that peace and those freedoms were threatened. Across Canada, our citizens took stranded travellers into their homes. Volunteers drove hundreds of kilometres to New York and Washington to lend a hand. In reaching out to help our neighbours to the south, Ontarians demonstrated the values that have made our province great.

We pay tribute to the Ontario victims of that tragedy, including David Barkway, whose wife, Cindy, recently gave birth to their son, David. While we share the sense of loss with Cindy and the families of the victims, we also share the joy that comes with new life and a renewed sense of hope for the future.

Just as spring marks a time of renewal and transition, so too does this speech from the throne symbolize a new era for Ontario.

Ontario today is a different place than it was a few short years, indeed even a few short months ago. The actions your government took over the past seven years were right for the times. Unemployment was high. Spending was out of control. High taxes were killing growth and jobs. Those were the challenges we have met thanks to years of hard work.

Once again, Ontario is strong, confident and moving forward. Full of pride. Full of hope.

But the job is never done.

New challenges have tested who we are as a province and as a people.

From this we have learned a great deal.

We have learned that we are not isolated from the events that shape our world. That even the strongest of foundations can be shaken.

But we have also learned that, through closer cooperation among governments, communities, cultures and neighbours, we can accomplish much.

1340

Le défi consiste maintenant à guider sans heurt notre province vers une ère nouvelle. Il s'agit de préserver ce que nous avons de mieux tout en apportant les changements nécessaires pour améliorer la vie des Ontariennes et des Ontariens.

The challenge now is to guide our province smoothly through a new era. We must protect the best of what we have while changing what is necessary to improve the lives of Ontarians.

Government is not the only answer to this challenge.

Responsible government knows its place. It understands where it does not belong and is prepared to get out of the way.

But responsive government also recognizes where it has a role to play to provide leadership and to take action in the best interests of all Ontarians. And it has the courage to play that role.

Your new government promises to deliver both responsible and responsive leadership.

Leadership that encourages Ontario's competitiveness and protects the gains we have made over the past seven years through tax cuts and sound fiscal management. It is a job that is never done.

Leadership with the strength to listen and the courage to act, blending common sense solutions with a common sense of purpose.

In providing Ontarians with that leadership, your government's priorities are clear: to uphold the fundamentals that have enabled us to rebuild our great province but at the same time make the changes necessary to respond to a new Ontario.

Ontarians have said they do not want classrooms and hospitals to be battlegrounds. Your government has heard that message.

Ontario's goals can only be achieved by working in partnership with educators and health care providers. Although, from time to time, there may be disagreements on the best way to get there, your government will not waver in its belief that Ontarians share its priorities and it will do what it takes to achieve these important objectives.

The last few years required difficult choices. But those are not the same choices we face today. New challenges require new solutions.

In response to the need for more stability in education and health care, your government will introduce three-year base funding for school boards and hospitals. Over the next year, your government will work to develop a model for multi-year base funding that ensures improved accountability, accessibility and fairness.

As well, it will change its budget cycle, delivering budgets before the start of the fiscal year. This will help ministries, public institutions and the government plan and budget in a way that better meets the needs of Ontario's citizens.

Ontario's young people, no matter who they are or where they are, deserve the opportunity to contribute to and benefit from the gains we have made as a province.

Establishing the foundation for excellence in education in all parts of Ontario was the first step in that direction. Ontario's education reforms have begun to achieve accountability and quality in our schools and classrooms. A more rigorous, standardized curriculum means students in every corner of our province are getting the same excellent education. New report cards are helping parents monitor their children's progress.

Standardized tests for students are helping to ensure that what is taught is learned and what is learned is



relevant. Qualification requirements for teachers are helping to ensure that teachers are well equipped to plan appropriate programs for students.

At the end of the day, students, teachers, parents and government share the common goal of ensuring that all Ontario students have an equal opportunity for a quality education.

But Ontario cannot put students first without listening to their parents and teachers. Your government is doing that.

Au bout du compte, les élèves, le personnel enseignant, les parents et le gouvernement partagent le même objectif, à savoir que tous les élèves de l'Ontario aient un accès équitable à une éducation de qualité.

Mais on ne peut pas accorder la priorité aux élèves sans prêter l'oreille à leurs parents et au personnel enseignant, et ça, c'est ce que fait votre gouvernement.

To excel, young people must have the tools to master the new curriculum, year after year. Your government heard from students, parents and teachers that students across our province needed more textbooks.

The first priority of your new government has been to address that need. Three weeks ago, your Premier and the Minister of Education announced an additional \$65 million in funding for textbooks and learning resources for our students. Your government will continue to monitor needs for future years.

The introduction of student-focused funding in 1997 was designed to ensure that resources were invested where they matter most. Your government remains committed to that goal, but Ontarians have expressed concerns that the current formula is not achieving that. Students in communities from Cochrane to Cornwall, from Point Pelee to Pickle Lake, have different needs. Your government is acting immediately to address this and give Ontario students the resources they need.

Your government is today announcing that respected educator Dr Mordechai Rozanski, president of the University of Guelph, has agreed to lead a task force to review the current funding formula. That process will begin tomorrow.

The Education Equality Task Force will report back by November 1, 2002, with recommendations on ways to improve fairness, certainty and stability for our schools and our students.

Last year, your government introduced a flexible funding amount of \$100 per student, which school boards can use to address local priorities. This year, your government will build on this commitment with additional funding and stability.

Your government will also introduce a quality in the classroom fund to ensure that schools can move forward with creative solutions to enhance student achievement.

Reading, writing and mathematics are the foundation of a strong education. One week ago, your government announced \$25 million to expand the early reading program and introduce a new early math program across the province.

Ontario's young people with special needs must also have the support they require in our school system. Your government will continue to make support for special education a priority.

Your government is committed to attracting the best people to the teaching profession and enabling them to excel, ensuring that their skills and knowledge stay up to date. It will ensure that teachers have the training they need to teach the new curriculum and will work with them on a means of measuring the currency of their skills in today's learning environment.

Your government remains committed to choice and fairness in Ontario's education system. Working together with parents, your government will design a means of measuring the progress of students in core subjects as it implements the equity in education tax credit.

Equality of opportunity is also the goal of our post-secondary education system. Capable students, regardless of their economic circumstances, deserve the chance for a brighter future.

That is why your government introduced the student opportunity trust fund to help thousands of young people get a post-secondary education. Approximately 185,000 students who have the academic qualifications but lack the financial resources will benefit from the fund. Your government will increase that fund to give 400,000 students over the next decade the chance to reach their potential.

Because some students require extra support throughout their studies, your government will expand the learning opportunities program. Under the direction of Dr Bette Stephenson, the program helps students with learning disabilities take advantage of post-secondary learning opportunities. Your government will expand the program to include all of Ontario's 18 universities and 24 community colleges.

Students and their parents want to know that the dream of a post-secondary education can be pursued right here in Ontario. That is why your government made the single largest capital investment in colleges and universities in more than 30 years.

Standing firmly behind its commitment that willing and qualified Ontario students will have a place in our post-secondary system, your government and its partners provided an additional \$1.8 billion to create 73,000 new student spaces across the province. Building on these previous commitments, your government will provide further resources to post-secondary institutions to meet the higher-than-projected student demand.

Ontario has already committed to an additional \$293 million for investments in teaching and supplies, and it will work with colleges and universities to accommodate more Ontario students in the post-secondary system.

#### 1350

One example of innovation has been expanding applied degrees to colleges. Your government will work with education providers to further expand this program and find other solutions that recognize the needs of both



students and industry as we improve our competitiveness throughout the world.

Ontarians should have an opportunity to work and develop their skills in their own communities. That is why your government believes in province-wide access to leading-edge apprenticeship and training programs.

In the spirit of co-operation, Ontario's Minister of Training, Colleges and Universities invites the federal government to sign the Labour Market Development Agreement. This agreement would allow Ontarians to access almost \$600 million in apprenticeship and skills training funds.

Successive generations of industrious and innovative Ontarians have built a multi-faceted, high-tech manufacturing and exporting powerhouse that generates incredible wealth.

Your government has not lost sight of the fact that Ontario has regained its place as the engine of prosperity in Canada through hard work and the commitment of all Ontarians;

—882,700 new jobs in Ontario since 1995—59,400 in the last six months alone;

—600,000 people who have a paycheque instead of a welfare cheque;

—more young families who are discovering the pride and freedom that come with owning a home;

—robust job creation, consumer and business confidence, consumer spending and housing markets point to growth—proof that Ontario is on the right track.

But the job of keeping Ontario competitive is not done. It will never be done.

Your government will continue to focus on improving Ontario's competitiveness through tax cuts.

Your government will look to the experiences—of the last seven years. It will seek the ideas of the enterprising women and men of this province for ways to be more competitive and increase productivity—the keys to keeping our province a leader in Canada and a competitive force around the world.

This province was not immune to the market and economic fallout of the September 11 attack on our closest neighbour and largest trading partner.

The ensuing economic slowdown continues to resonate today and it has affected the province's financial resources.

Une gestion budgétaire judicieuse et des décisions difficiles s'imposent pour remédier à cette situation. Mais votre gouvernement est prêt à prendre ces décisions et toutes les mesures nécessaires pour permettre à l'Ontario de conserver son dynamisme et de poursuivre sa croissance.

Dealing with this situation will require continued sound fiscal management and difficult decisions. Your government is prepared to make those decisions and take the necessary action to keep Ontario strong and growing.

More than one million Ontario jobs depend on trade with the province's largest trading partner, the United States. In the year 2001 alone, Ontario exported more

than \$200 billion in goods and services to the United States. Your government believes that the only way Ontario will continue to be prosperous is to maintain the free flow of goods, services and people across the border.

The newly created Ministry of Public Safety and Security will help maintain the physical and economic security of Ontario. There will be a central leadership role for the ministry, which bridges all provincial ministries and agencies.

Following September 11, your government took measures such as passing tough new legislation to protect vital documents, including birth certificates. Your government will continue to provide security but it cannot proceed alone. That is why it wants to work with Ottawa to create a North American security perimeter, so that border trade and travel can continue to flow smoothly and safely.

Your government recognizes the importance of working with the federal government to enrich the arts and cultural institutions. Your Minister of Culture will play an active role in this important initiative.

To enable all regions of this province to take advantage of Ontario's growth and compete in a global economy, our province needs a continuous supply of innovative ideas and policies. The new Ministry of Enterprise, Opportunity and Innovation is a clear demonstration of your government's commitment to competitiveness through innovation.

Globally, Ontario is a leader in the biotechnology sector. Reflecting this strength, in June, Toronto will host the BIO 2002 conference, the world's largest biotechnology conference.

Your government continues to promote research and innovation through its research and development challenge fund. Since 1997, the fund has announced more than \$377 million of public sector funding and leveraged nearly \$1 billion in private sector investments for 88 projects in universities, colleges, hospitals and research institutions around the province.

It will also expand its investment in the knowledge economy by supporting universities and research institutions in creative ways. For example, it has entered a partnership to help create a medical and related services discovery district in downtown Toronto, which will help move medical research forward. It has also committed to a research and technology park at the University of Waterloo, which will employ up to 6,000 people.

Ontario is a global leader in cancer research, but your government believes it can do more to fight this devastating disease, which takes so many forms and affects so many families.

Today, over half of all adults and 75% of children diagnosed with cancer survive. Your government will work to eradicate this disease and will launch a concentrated effort to combat its two leading killers, breast and prostate cancer.

Leading scientists and medical experts say that finding a cure for breast and prostate cancer is achievable in the



next decade. The Ontario research and development challenge fund will lead a team of experts in this endeavour.

Ontario has the expertise. It has the will. It has the innovators and it will devote even more resources to find that cure.

Also, your government will immediately expand the scope of Ontario's Cancer Research Network fund so research on all forms of cancer will be eligible for funding. Over the next three years, your government will expand the number of clinical trials for promising new treatments so that twice as many patients can benefit from this research.

We all feel a sense of pride in our universal health care system, which has been the envy of the world since it was established nearly 40 years ago. Today, however, that system is under stress because of the pressures of a growing and aging population and the cost of new technologies and treatments.

The Kirby and Mazankowski reports, together with the upcoming Romanow commission report, all discuss the future of health care. And your government has undertaken its own consultation with patients, their families and health care providers all across the province.

People across Ontario have said the same things.

Ontarians want a system that encourages wellness and healthy living.

Ontarians want a quick and accurate diagnosis.

Ontarians want access to timely treatment.

Ontarians want to be able to find nurses and a family doctor in their own communities.

Le gouvernement vous a entendus. Il agit pour répondre à vos préoccupations. Il est déterminé à améliorer l'accès aux soins de santé, de sorte que les Ontariennes et Ontariens puissent recevoir en temps et lieu le traitement dont ils ont besoin.

Your government has heard you. It is acting to respond to your concerns. Your government is committed to improving access so Ontarians can get the care they need where and when they need it.

This is a new era in Ontario, and the process to fix our health care system has only just begun.

Since 1995, 31 new MRIs have been added, bringing the total in the province to 43. Your government will continue to add to the number of MRI machines and will begin immediately to increase their OHIP-funded hours of operation by 90%.

Your government will find more innovative ways to deliver and expand other diagnostic and treatment procedures and services so they are more accessible to all Ontarians.

All Ontarians, no matter where they live, must have health care close to home. Today in our province there are many people who don't have doctors and communities that are underserved. Families in many communities urgently need more physicians.

Ontario has started to address this problem by helping to pay the tuition of doctors who choose to locate in areas that need doctors.

But there is more to do.

Your government will proceed with a new northern medical school. Full campuses in Sudbury and Thunder Bay will train more doctors and encourage them to practise in the north.

Your government will work with the health care community in Ontario to encourage more foreign-trained doctors to locate in underserved areas and increase the certification rate of these skilled individuals.

Family health networks, designed to increase access to service, are another important part of your government's plan. Fourteen pilot projects are underway around Ontario, and the government's target is to have 80% of eligible family physicians practising in networks.

#### 1400

One important component of family health networks valued by many Ontarians is nurse practitioners.

That is why your government will work to break down the barriers faced by nurse practitioners. Your government will more than double the number of nurse practitioners and expand their role to include long-term-care facilities, community health centres and emergency rooms. Nurse practitioners will be encouraged to work in communities that have been without physicians for an extended period of time.

Just yesterday your Minister of Health and Long-Term Care announced \$3 million in projects that would see 12 communities—which had previously been without a family physician for an extended period of time—cared for by nurse practitioners.

Your government knows that if money were the only solution, Ontario's health care problems would be solved by now. Money alone is not the solution. Neither is the status quo.

Your government recognizes the private sector's contribution in our publicly funded system—as donors and supporters of our hospitals and research and also in the delivery of many services. Your government is committed to finding new ways to foster innovation, based on partnerships with the private sector, while preserving our universally accessible health care.

Ontario is eager to move toward multi-year base funding for our hospitals. This funding model allows hospitals to better plan around the needs of their communities and those who need care. As it moves toward its goal of multi-year base funding, Ontario needs the federal government's partnership in health care.

Your government believes that leadership on health care in today's Ontario means having the courage to debate honestly, while protecting the universality of the single-tier system that is a hallmark of our province and our country.

Fixing our system will require strength, courage and commitment on the part of all governments and indeed all citizens—those who use the services and those who provide them—to admit what has not worked and to reach out to find what will work.

Your government's health care strategy will be guided by a clear goal—improving access in a sustainable way for the people of this province, no matter where they live.

Your new government is prepared to be a leader in addressing the problems that face the health care system, but that will not be easy. It will require the strength to lead. The courage to listen. The will to do what is right.

Ontario's diverse neighbourhoods, people and geography make our province the best place in the world to live, work and raise a family. Ontario is a dynamic mix of 165 cultural communities. Its blend of voices, beliefs and backgrounds enriches us all, both culturally and economically.

La diversité qui caractérise l'Ontario, sa géographie, sa population et ses quartiers fait de notre province un lieu privilégié où il fait bon vivre, travailler et élever une famille. Fort d'une mosaïque de 165 communautés culturelles dynamiques, l'Ontario s'enorgueillit de cet ensemble unique de voix, de croyances et d'origines qui enrichissent notre vie à tous, tant sur le plan culturel qu'économique.

Recognizing the benefits of our diversity, your government will host an international conference showcasing Ontario's successes and exploring the ways our diverse and talented population can help strengthen our global competitiveness.

Your government will celebrate our ethnic and regional diversity and use its strength to benefit citizens all across the province.

In doing so, your government also recognizes that different areas of Ontario face different challenges. That is why, for the first time, Ontario has two associate ministers to address the specific needs of urban and rural Ontario. It also has a plan to keep all of Ontario's communities strong.

Ontario's Smart Growth plan will promote and manage growth in ways that sustain a strong economy, build strong communities and promote a healthy environment. Smart Growth is a flexible yet comprehensive plan to deal with the pressures of Ontario's growing population and its need for new transit and roads, as well as its need to keep goods and people moving. Finding ways to promote and manage growth in ways that make sense for each region is the job of Ontario's Smart Growth panels. These panels bring together a broad range of interests—governments, businesses, community and environmental groups—to help ensure a high quality of life for all citizens now and in the future.

Investing in an efficient, modern public transit system is another part of the plan. Your government's \$9-billion transit plan will help ensure that Ontario has a transit system that keeps people moving and protects the environment. Your government is confident that it can work with its federal and municipal partners to support Ontario's transit renewal program.

Your government will also study transit innovations like the multi-system transit card, which will improve customer service by creating a seamless trip for riders across a region's large and complex network.

Planning for the future means developing a modern, safe and efficient highway system to link Ontario's diverse cities and towns, relieve congestion on our roads

and help all regions prosper. Your government will continue to invest to expand and maintain our province's highways.

Planning for the future also means allowing smaller and more remote regions of the province to take advantage of the economic growth seen in larger urban centres. That is why your government will introduce legislation to create tax incentive zones. These zones will encourage both large and small businesses to invest, relocate or expand in rural and northern communities, creating economic growth and giving young people the opportunity to live, work, raise a family and give back to the communities where they grew up.

Appropriate funding is also vital to planning at the community level. Municipalities must be able to move forward with important infrastructure projects such as new water treatment facilities, sewers and roads. Your government will introduce legislation to allow municipalities to offer opportunity bonds tax free to investors, allowing for more infrastructure development and giving municipalities more control at the local level.

Planning for the future also means protecting our traditions. We must remember that agriculture is not only a business. It is a way of life; and it is a way of life that is at risk.

As one of his first actions, your Premier met with members of the agricultural community. On June 6, at a round table to be held in Guelph, your government will again meet with farm leaders to identify key issues and establish priorities to keep Ontario's agricultural sector vibrant.

Your government is concerned about the possible implications of family farm unionization. While respecting individual and constitutional rights, it will work to protect farmers and their livelihoods in what have proven to be challenging times. Ontario's harvests and food supply must not be vulnerable to disruptions caused by strikes and lockouts.

Like Ontario's farmers, your government understands that protecting the environment is vital to the future of the family farm. It remains committed to the nutrient management bill, which would protect the environment by setting and enforcing clear, consistent standards for nutrient management on farms.

Planning for the future also means protecting our water and air.

In recognition of this, your government will move forward with its clean water strategy to ensure a clean supply of water for future generations.

Your government knows that we must all work harder to protect and preserve our environment. Our environment should be a legacy we pass on to our children and grandchildren. It should not be a burden for them to bear.

Your government is committed to ensuring that Ontario has and enforces the best and toughest clean water policy in the world. Ontario's clean water legacy trust will focus your government's actions, policies, reporting and enforcement efforts toward this critical goal. It will use its resources to bring federal, local and



private sector funding to the table to rebuild our water infrastructure.

A clean water centre of excellence, located in Walkerton, will coordinate research and training for those who work in the field. This centre will link the best research and the best scientific minds available.

All 28 recommendations in Justice O'Connor's first report on Walkerton are being implemented. Your government will take additional steps in response to Justice O'Connor's second report, expected later this month.

Your government also believes that we must explore 21st century sources of energy. Your government looks forward to the report by the select committee on alternative fuels, expected at the end of this month. The report will help guide the government as it works with Ontario's environmental industries to keep our air clean and promote green sources of power, such as wind and hydrogen power.

Just as our health system is a hallmark of our society, so too is our reliable supply of electricity. For generations, it has powered our province's industries and generated much of our wealth.

It is necessary to renew and expand our electricity infrastructure to meet the needs of our growing and changing province. Your government understands the recent significant events that have taken place in the energy sector and recognizes the need to ensure that Ontarians can depend on having reliable, accessible and affordable electricity today and in the future.

#### 1410

Your Premier has clearly stated that your government's plans for restructuring Ontario's electricity sector will include four important objectives:

First, it will ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace.

Second, it will ensure that the necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario.

Third, it will bring market discipline to Hydro One—the province's transmission company—and prevent any possibility of the recurrence of staggering debts, such as the current \$38-billion debt, while eliminating it.

And fourth, it will achieve these goals while protecting consumers.

Your government believes that the people of Ontario should have a voice in the future direction of one of Ontario's most important resources. Your government has the courage to listen, the willingness to consult and the ability to take the right course of action in the interest of all Ontarians.

Your government will also act to protect communities, families and individuals.

Your government is committed to protecting children caught in the misery of prostitution and holding those who would profit from their exploitation accountable for the consequences of their actions.

Every year, thousands of children see violence in their homes. These children are at risk and often continue a legacy of family violence themselves. Your government will continue to help children who are trapped in violent family situations.

Your government has zero tolerance for violence against women. It is encouraged by the progress that has been made and it will continue to build on relationships with shelters, educators, legal advocacy programs and child care centres on ways to support front-line workers. Domestic violence tears families apart, targets the vulnerable and destroys communities. Your government will continue its fight against this crime.

Biker gangs pose another threat to our communities. Your government will continue to support the OPP anti-biker-gang squad to protect our communities.

Your government will create a task force to help reform correctional services in Ontario in consultation with stakeholders, front-line staff and management. It will also use state-of-the-art electronic surveillance technologies to more closely supervise and monitor targeted offenders to keep them accountable and our communities safe.

Your government will continue to ensure that police officers, firefighters and paramedics have the tools and training they need to do their vital jobs.

They—and we—will sleep more soundly, knowing that our communities are safe.

This spring, the hard-working people of Ontario are looking ahead with a renewed sense of optimism because we know we have much for which to be thankful.

We know that our province is strong because its people are strong.

We see that strength in our teachers, whose patience, professionalism and wisdom make them great role models for our children.

We see it in the compassion, dedication and devotion of our nurses and doctors.

We see it in the duty and honour of our police officers, firefighters and soldiers who serve and protect us.

We see it in the entrepreneurs, small business owners, factory workers, public servants, volunteers and countless others whose hard work is the heartbeat of a great province.

We know that we are rich in diversity, plentiful in resources and blessed with peace and safety.

We know that, by working together, we can ensure that communities, cultures and individuals all across our province can flourish and grow.

Your government knows that, with continued diligence, sound fiscal management and competitive tax measures, Ontario will see more jobs, more prosperity and greater opportunity.

Your government knows that the trust of Ontario's citizens is something that must be earned each day.

Your government will work hard to earn that trust.

Que Dieu bénisse le Canada. Que Dieu bénisse l'Ontario. Dieu protège la Reine.

God bless Canada. God bless Ontario. God save the Queen.

*Singing of O Canada.*

*His Honour was then pleased to retire.*

*Prayers.*

**The Speaker (Hon Gary Carr):** I beg to inform the House that, to prevent mistakes, I have obtained a copy of the speech from the throne, which I will now read.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Dispense.

**The Speaker:** Dispense.

## INTRODUCTION OF BILLS

### AN ACT TO PERPETUATE AN ANCIENT PARLIAMENTARY RIGHT

### LOI VISANT À PERPÉTUER UN ANCIEN DROIT PARLEMENTAIRE

Mrs Witmer moved first reading of the following bill:

Bill 12, An Act to perpetuate an Ancient Parliamentary Right / Projet de loi 12, Loi visant à perpétuer un ancien droit parlementaire.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Deputy Premier?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I have no comments.

**The Speaker:** Point of order, the member for—

**Interjection:** Welland.

**Mr Peter Kormos (Niagara Centre):** Seeing all the long faces on the government members, I wondered if it was anything that I did to upset them, and if I did, I apologize.

## MOTIONS

### THRONE SPEECH DEBATE

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I will assure the member opposite, you've done nothing to upset us.

I move that the speech of His Honour the Lieutenant Governor to the House be taken into consideration on Monday, May 13, 2002.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Mr Stockwell:** I move adjournment of the House, Mr Speaker.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 1421.*

## ERRATUM

Parliament	Session	No.	Page	Column	Line(s)	Should read:
37th	2	78B	4390	1	58	cares? What have you actually done for small businesses?









**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	
Arnott, Ted (PC)	Waterloo-Wellington	
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Associate Minister of Francophone Affairs / ministre associé des Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	
Bartolucci, Rick (L)	Sudbury	
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
<b>Christopherson, David (ND)</b>	Hamilton West / -Ouest	Deputy Speaker / Vice-Président
Chudleigh, Ted (PC)	Halton	
Churley, Marilyn (ND)	Toronto-Danforth	
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Labour / ministre du Travail
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
<b>DeFaria, Hon / L'hon Carl (PC)</b>	Mississauga East / -Est	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	
Dunlop, Garfield (PC)	Simcoe North / -Nord	
<b>Ecker, Hon / L'hon Janet (PC)</b>	Pickering-Ajax-Uxbridge	Minister of Finance / ministre des Finances

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
<b>Eves, Hon / L'hon Ernie (PC)</b>	Dufferin-Peel-Wellington	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Galt, Doug (PC)	Northumberland	
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hastings, John (PC)	Etobicoke North / -Nord	
<b>Hodgson, Hon / L'hon Chris (PC)</b>	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim (PC)</b>	Erie-Lincoln	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
<b>Jackson, Hon / L'hon Cameron (PC)</b>	Burlington	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
<b>Johns, Hon / L'hon Helen (PC)</b>	Huron-Bruce	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
<b>Johnson, Bert (PC)</b>	Perth-Middlesex	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	
Mazzilli, Frank (PC)	London-Fanshawe	
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
<b>Molinari, Hon / L'hon Tina R. (PC)</b>	Thornhill	Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Munro, Julia (PC)	York North / -Nord	
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
O'Toole, John R. (PC)	Durham	
<b>Ouellette, Hon / L'hon Jerry J.</b> (PC)	Oshawa	Minister of Natural Resources / ministre des Richesses naturelles
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Prue, Michael (ND)	Beaches-East York	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Ruprecht, Tony (L)	Davenport	
Sampson, Rob (PC)	Mississauga Centre / -Centre	
Sergio, Mario (L)	York West / -Ouest	
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, John (PC)	Mississauga West / -Ouest	
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	
<b>Sterling, Hon / L'hon Norman W.</b> (PC)	Lanark-Carleton	Minister of Transportation / ministre des Transports
Stewart, R. Gary (PC)	Peterborough	
<b>Stockwell, Hon / L'hon Chris</b> (PC)	Etobicoke Centre / -Centre	Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	
Tilson, David (PC)		
<b>Tsubouchi, Hon / L'hon David H.</b> (PC)	Markham	Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
<b>Turnbull, Hon / L'hon David</b> (PC)	Don Valley West / -Ouest	Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	
<b>Wilson, Hon / L'hon Jim</b> (PC)	Simcoe-Grey	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Witmer, Hon / L'hon Elizabeth</b> (PC)	Kitchener-Waterloo	Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Wood, Bob (PC)	London West / -Ouest	
<b>Young, Hon / L'hon David</b> (PC)	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Vacant	Nipissing	

## CONTENTS

**Thursday 9 May 2002**

### **SPEECH FROM THE THRONE**

The Lieutenant Governor..... 1

### **FIRST READINGS**

**An Act to perpetuate an Ancient  
Parliamentary Right, Bill 12,**

*Mrs Witmer*

Agreed to ..... 8

### **MOTIONS**

**Throne speech debate**

Mr Stockwell ..... 8

Agreed to ..... 8

**Erratum ..... 8**

## TABLE DES MATIÈRES

**Jeudi 9 mai 2002**

### **DISCOURS DU TRÔNE**

Le lieutenant-gouverneur..... 1

### **PREMIÈRE LECTURE**

**Loi visant à perpétuer un ancien droit  
parlementaire, projet de loi 12,**

*M<sup>me</sup> Witmer*

Adoptée ..... 8



CA20N  
X1  
-023

Government  
Publications



No. 2A

N° 2A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

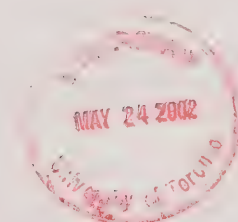
Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 13 May 2002

Lundi 13 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 mai 2002

*The House met at 1330.  
Prayers.*

### INTRODUCTION OF MEMBER FOR DUFFERIN-PEEL-WELLINGTON-GREY

**The Speaker (Hon Gary Carr):** I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of David Tilson, as member for the electoral district of Dufferin-Peel-Wellington-Grey, effective the second day of April 2002.

I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of Michael D. Harris, as member for the electoral district of Nipissing, effective the second day of April 2002.

Accordingly, I issued my warrants to the Chief Election Officer for the issue of writs for by-elections.

I beg to inform the House that the Clerk has received from the Chief Election Officer and laid upon the table a certificate of the by-election in the electoral district of Dufferin-Peel-Wellington-Grey.

**Clerk of the House (Mr Claude L. DesRosiers):** I have a letter addressed to:

"Mr Claude DesRosiers  
"Clerk of the Legislative Assembly  
"Room 104  
"Legislative Building  
"Queen's Park  
"Toronto, Ontario  
"M7A 1A2"

It says:

"Dear Mr DesRosiers:

"A writ of election dated the third day of April, 2002, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Terry W. Sutton, returning officer for the electoral district of Dufferin-Peel-Wellington-Grey, for the election of a member to represent the said electoral district of Dufferin-Peel-Wellington-Grey in the Legislative Assembly of this province in the room of David Tilson who since his election as representative of the said electoral district of Dufferin-Peel-Wellington-Grey hath tendered his resignation. This is to certify that, a poll having been granted and held in Dufferin-Peel-Wellington-Grey on the second day of May, 2002, the Honourable Ernie Eves has been returned as duly elected as appears by the return of the said writ of election, dated

the tenth day of May, 2002, which is now lodged of record in my office.

"John L. Hollins

"Chief Election Officer

"Toronto, May 13, 2002."

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Mr Speaker, I have the honour to present to you and the House Ernie Eves, member-elect for the electoral district of Dufferin-Peel-Wellington-Grey, who has taken the oath and signed the roll and now claims the right to take his seat.

**The Speaker:** Let the honourable member take his seat.

### REPORTS, INTEGRITY COMMISSIONER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on February 8, 2002, the report of the Integrity Commissioner regarding the Honourable James Flaherty, Deputy Premier and Minister of Finance, with respect to a one-time tax-free payment of \$100 per child under age seven was tabled.

I beg to inform the House that on February 27, 2002, a request by the member for Eglinton-Lawrence for an opinion of the Integrity Commissioner, pursuant to section 30 of the Members' Integrity Act, 1994, regarding the role of Mr Ernie Eves as Minister of Finance with respect to MPPs' pensions and compensations, was tabled.

I beg to inform the House that on May 6, 2002, the report of the Integrity Commissioner regarding the role of Mr Eves as Minister of Finance with respect to the MPPs' pensions was tabled.

### ROYAL ASSENT

**The Speaker (Hon Gary Carr):** I beg to inform the House that on December 14, 2001, in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor was pleased to assent to certain bills of the previous session.

**Clerk at the Table (Mr Todd Decker):** The following are the titles of the bills to which Her Honour did assent:

Bill 155, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 155, Loi prévoyant des recours civils pour crime organisé et autres activités illégales;

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day / *Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques*;

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / *Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes*;

Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / *Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges*;

Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / *Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois*;

Bill 130, An Act respecting community care access corporations / *Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires*;

Bill Pr3, An Act to revive 1268519 Ontario Inc;

Bill Pr10, An Act to revive 237661 Builders Ltd;

Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre;

Bill Pr21, An Act respecting the City of Ottawa;

Bill Pr24, An Act respecting the City of Ottawa;

Bill Pr25, An Act respecting Nipissing University.

#### BOARD OF INTERNAL ECONOMY

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I've laid upon the table a copy of an Order in Council appointing the Honourable John Baird, the Honourable Bradley Clark and the Honourable Norm Sterling as commissioners of the Board of Internal Economy, appointed by the Lieutenant Governor in Council from among the members of the executive council, in the place of the Honourable Janet Ecker, the Honourable Rob Sampson and the Honourable Chris Stockwell.

1340

#### WEARING OF DAISIES

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: May is Sexual Assault Prevention Month, and Nova Vita, a women's shelter in the riding of Brant, has initiated a campaign called the Daisy of Hope Campaign. I seek unanimous consent for all members to wear the daisy for the month of May.

**The Speaker (Hon Gary Carr):** Unanimous consent? Agreed.

### MEMBERS' STATEMENTS

#### WATER QUALITY

**Ms Caroline Di Cocco (Sarnia-Lambton):** Residents in the East Lambton community of Alvinston would like to know what it would take before the environment ministry of this province learns its lessons, post-Walkerton.

Less than a month ago, more than 20,000 litres of chemical fertilizer was spilled in Brown Creek near the Sydenham River, where Brooke-Alvinston draws its water supply. There was no timely response from the Ministry of the Environment, even though they were notified immediately of the spill. The Ministry of the Environment waited three days before alerting the municipality of that chemical fertilizer potentially affecting their drinking water. The mayor of the town had the foresight to shut the town's water supply immediately after he found fish floating belly up. The ministry did not notify the townships for three days after this serious incident.

As we know, the fertilizer contains large amounts of ammonium nitrate, a dangerous flammable solid which can cause eye and skin irritation. This can cause severe respiratory and digestive irritation. Now, post-Walkerton, two years later, this government's approach to environmental response pertaining to drinking water has not changed.

#### SALVATION ARMY

**Mr Bob Wood (London West):** I rise today to congratulate the Salvation Army on the occasion of the 120th anniversary of the launching of their work in London.

The celebration held recently in London kicked off with a dinner attended by General John Gowan and his wife, Commissioner Gisele Gowan, the international leaders of the Salvation Army. Saturday included a barbecue for all the public and a sod-turning for the new Centre of Hope, an \$11-million project which will offer an array of programs and services under one roof. The weekend concluded with a morning worship service of praise and proclamation followed by coffee with the general.

The Salvation Army has for many years served Canadians and the world. Services offered by the Salvation Army include acting as an emergency agency around the world, willing and able to meet crisis situations wherever they occur; community and family services that operate year-round; Cross Zone youth shelters which offer a safe haven to youths aged six to 21 years; addictions and rehabilitation centres that offer shelter, food and counselling to men, young and old, who have no place to turn; and correctional and justice services which offer a wide variety of programs for those who are in the criminal justice system and support systems for the families of those incarcerated.



Services in London include the Bethesda Centre and the London Village, with whom my father worked for many years.

The Salvation Army and its supporters are people who make our country and world a better place. I know all members of the House will join with me in congratulating them on their 120th anniversary in London.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Ernie Parsons (Prince Edward-Hastings):** This morning the Minister of Health announced that this government will now fund treatment for wet-type macular degeneration. Good for him. It's the right thing to do and it's about time.

The federal government and the other provinces have funded this and approved it for two years. The minister indicated that this was clearly the first priority for the new Premier. It says volumes about the last Premier and this cabinet that it was put off this long.

But just a minute: this Premier was in the cabinet two years ago and in fact was Treasurer. There was absolutely nothing done at that time, a time when there was a budget surplus. This Treasurer authorized lots of health advertisements, but there was no money for health care while seniors went blind. Over the last two years, seniors have had to make the choice between going blind or going broke. They've had to borrow money, they've had to use up their life's savings or they've had to take mortgages on their house to pay to keep their eyesight.

The government is backdating this only to April 1. I implore the Minister of Health to revisit this issue and pay people who over the last two years have put their financial health at risk to preserve their own eyesight.

Great for doing it this morning, but finish the job and do the right thing for the seniors of our province who paid taxes all of their lives and went blind because of the indecision and procrastination over the last two years.

#### HYDRO ONE

**Mr Bert Johnson (Perth-Middlesex):** Mr Speaker, first of all, I want to welcome you and all my colleagues from both sides of the House back to the Legislature. I also want to congratulate Premier Eves on his leadership and by-election victories.

Since we were here last, the hottest topic of letters and calls to my constituency office, as well as among political commentators, has been the restructuring of our electricity system.

During February, March and April I held three town hall meetings on this issue in my riding, at which Shane Pospisil, director of communications for the Ministry of Energy, spoke about what he was doing and why.

These events, held in Listowel, Mitchell and Ilderton, were attended by more than 200 of my constituents. It seems that most people didn't understand what was happening, why we were doing it or how it would impact them. However, once they heard the presentation and had

their questions answered, I found most people seemed satisfied. That's not to say they all agreed with our plan, but they seemed to accept that we were doing what we believed was best.

That satisfaction was in part because of the presenter. I want to take this opportunity to recognize Mr Pospisil for his ability to explain this complicated issue and for his patience in answering questions. I understand he has since left the ministry, and I want to wish him well in his future endeavours.

#### MINISTRY OF ENVIRONMENT AND ENERGY

**Mr James J. Bradley (St Catharines):** Who has seen Ontario's new Minister of the Environment? Word has it that the irrepressible perpetrator of glib commentary and the master of the quick quip has not even visited the Ministry of the Environment since he was saddled with this unwanted and onerous portfolio several weeks ago.

Yes, we have seen him barnstorming the Ontario landscape, conducting make-believe hearings on the sale of the crown jewel of Ontario electricity, Hydro One. Yes, we have seen him storm out of sham hearings when confronted with vehement opposition. Yes, we have even seen him try to wiggle out of the previously firm Eves position of peddling Hydro One for no good reason.

But have we even seen an apparition of the newly minted environment czar at 135 St Clair Avenue West? If he has entered the premises, he must be using burglar tools to get into a building that, by the way, appears to be for sale. Yes, incredibly, if we believe the signs, the Ministry of the Environment is for sale.

No glib assurances or witty quips to satisfy those who fawn at the humorous style of the bombastic Stockwell will satisfy the millions of Ontario residents concerned about the appalling state of our environment. Ernie Eves has made a big mistake in piling the environment portfolio on a minister who is, predictably, beleaguered by the onerous responsibilities of the energy and House leadership duties. This is a clear indication of the low priority the Premier places on the environment in Ontario.

#### HYDRO ONE

**Mr Gilles Bisson (Timmins-James Bay):** Mr Speaker, as you know, this is the first day that we're actually back in the Legislature, sitting in order to debate the issues before us here in the province of Ontario. There could be none more important than the issue of Hydro privatization.

You will know that our leader, Howard Hampton, and the rest of the caucus have been working hard on this issue, trying to get the government finally to understand the little bit of common sense that trying to sell off an asset that's worth \$10 billion for \$5 billion ain't a good deal for the people of Ontario and, at the end of the day, is not going to do anything in order to get to what their stated goal is, which is lower hydro prices.

It's interesting to note that last week, at a time when there was the lowest demand for hydro, the hydro rate on the spot market, through the new deregulated mechanism, was 14.5 cents a kilowatt. That's up from 4.5 cents, just before May, before they opened the market.

Now that's a scary thought, because that means that at a time when Ontarians are not using power to the degree that they would in the summer or winter, the daily price for hydro went to 14.5 cents. That is not even as high as we had predicated it was going to go.

We're saying to the government here and now that you don't have the right to privatize Hydro. You never campaigned on it. You never got the legislative authority. The only way for you to do it is to call an election. We're saying here today in the Legislature that if you want to go out and privatize Hydro, have the guts to go to the people of Ontario and call a general election over it, and then we'll see what will happen.

1350

### SOUTH ASIAN HERITAGE MONTH

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** For the first time in our history, people of South Asian origin throughout Ontario are celebrating May as South Asian Heritage Month and May 5 as South Asian Arrival Day.

While most South Asians came to Canada from India, many others came from such places as Pakistan, Sri Lanka, Bangladesh, Uganda, Kenya, South Africa, Mauritius, Singapore, Malaysia, Fiji, the United Kingdom, Trinidad and Tobago and Guyana.

Today, South Asians make up approximately 7% of Ontario's population and are proud to draw upon their heritage and traditions while contributing to many aspects of culture, commerce and public service across our province.

South Asian Heritage Month is an opportunity to showcase the accomplishments and successes of the South Asian community. On May 2 this year I had the pleasure of joining Ontario's Deputy Premier and Minister of Education, the Honourable Elizabeth Witmer, Minister Brenda Elliott, Minister Tony Clement and 800 members of the Ontario South Asian community at the very successful inaugural South Asian Heritage Month gala dinner organized by the members of the South Asian Heritage Foundation.

It is my pleasure to join with all members of this Legislature in recognizing May as South Asian Heritage Month. It is my hope that we use this opportunity to enhance our understanding and appreciation of our rich culture, heritage and traditions as we work toward making Ontario and Canada the best places in the world to live, work and raise our families.

### PREMIER'S COMMENTS

**Mr George Smitherman (Toronto Centre-Rosedale):** The members of the Liberal caucus have decided that

from time to time I should have the opportunity to talk a little bit about my experiences in observing the Tory leadership race, and today I want to report on one of my favourite moments. It was March 7—

*Interjection.*

**Mr Smitherman:** Frank, you know I couldn't fit in the chicken costume.

However, on March 7 a few Tory caucus members—John Baird, Tim Hudak and Jim Flaherty—got together for a little homemade breakfast. They did this at a little joint called Ernie's House of Waffles. Hudak, Baird and Flaherty donned aprons with their now-boss Ernie Eves's face on them and they served up pink waffles.

Here's what Jim Flaherty had to say: "Ernie Eves is attempting to be all things to all people. I had once thought Ernie had no policy, but now I see he does have some policy. Problem is, they're different policies on the same issues.

"On the education tax credit, for example, Eves is saying one thing publicly and another behind closed doors and thinks no one is looking. When you say one thing to one group of people and another thing to a different group, that's wrong. Voters in Ontario won't buy it no matter how slick the presentation may be." That was Jim Flaherty.

I couldn't agree more. Ernie Eves's position depends on whom he is talking to. He says one thing to his buddies on Bay Street and another to Ontario's families. There is one thing that Jim Flaherty and I agree on: Ernie Eves will say anything to hold on to power. Ernie Eves has more positions than the Kama Sutra.

### NURSES

**Mr John O'Toole (Durham):** I rise in the House today to provide a brief report about my recent visit to Bowmanville hospital. Fortunately, this was not in the role of a patient but as a participant in Take Your MPP to Work Day. This event was part of Nursing Week, which was May 5 to May 11. I would like to thank Kim Cearn of the Durham-Northumberland chapter of the RNAO for her invitation to visit Lakeridge Health Bowmanville last Friday. I'd also like to thank Chris Kooy, the chief operating officer of Lakeridge Health Bowmanville, for giving me a tour of the hospital and the patients. I was pleased with the opportunity to meet staff such as Pat Obstfeld, a registered nurse in the pre-op clinic who took the time to explain her many duties to me.

Nurses want MPPs to see first-hand their day-to-day responsibilities and working conditions. I appreciate the opportunity to speak with the front-line professionals in their workplace. Take Your MPP to Work Day gave me a better understanding of the commitment and dedication RNs bring to their vocation, as well as the demands they face.

Health care is the number one priority for most Canadians. There are areas in the health care system that do require our continuing attention. Recently our Pre-



mier's throne speech spoke to those needs with initiatives such as an expanded role for nurse practitioners.

Take Your MPP to Work Day has reminded me that we are very fortunate to have such skilled and caring front-line staff. We must ensure that we continue to support them and thank them for their outstanding contribution.

#### COMMISSIONERS OF ESTATE BILLS

**The Speaker (Hon Gary Carr):** I beg to inform the House that the Clerk has received a favourable report from the Commissioners of Estate Bills with respect to Bill Pr1, An Act respecting the Tilbury Area Public School and the William J. Miller Trust.

Accordingly, pursuant to standing order 86(e), the bill and the report stand referred to the standing committee on regulations and private bills.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I also beg to inform the House that during the recess and during the interval between the second and third sessions, the Clerk received the 19th, 20th, 21st, 22nd, 23rd, 24th, 25th and 26th reports of the standing committee on government agencies.

Pursuant to standing order 105(e), the reports are deemed to be adopted by the House.

##### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr Bruce Crozier (Essex):** Pursuant to the order of the House of December 13, 2001, I beg leave to present a report on Polaris from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Mr Crozier:** It's my honour to present the report of the standing committee on public accounts on the Ministry of Consumer and Business Services Polaris project.

Following an extensive review of the Polaris project, the standing committee on public accounts would strongly recommend that the Ministry of Consumer and Business Services (1) reassess Teranet's estimation procedures for project costs and timetables, (2) implement improved accountability processes to ensure that relevant operational and financial matters are brought to the attention of key ministry officials by Teranet on a timely basis, and finally, (3) review its management of the Polaris project and the 2001 committee hearings, focusing on the problems encountered in providing the committee and the Provincial Auditor with access to

relevant information in order to prevent a reoccurrence of these circumstances. Indeed, the ministry should provide information as required under the Legislative Assembly Act and Audit Act on a timely basis.

I move adjournment of the debate.

**The Speaker:** Mr Crozier moves adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Pursuant to the order of the House of December 13, 2001, I beg leave to present a report on pre-budget consultation, 2002, from the standing committee on finance and economic affairs.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Mr Beaubien:** I would just like to acknowledge and recognize the members and staff and thank them for their co-operation and understanding during our travels throughout the province.

#### INTRODUCTION OF BILLS

##### ELECTRICITY AMENDMENT ACT (HYDRO TRANSMISSION CORRIDOR LANDS), 2002

##### LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (BIENS-FONDS RÉSERVÉS AUX COULOIRS DE TRANSPORT DE L'ÉLECTRICITÉ)

Mr Sergio moved first reading of the following bill:

Bill 13, An Act to amend the Electricity Act, 1998 to ensure that the transmission corridors remain provincial assets to be used for public transit, recreational and similar purposes / Projet de loi 13, Loi modifiant la Loi de 1998 sur l'électricité afin de garantir que les couloirs de transport demeurent des éléments d'actif provinciaux devant servir aux fins des transports en commun, des loisirs et d'activités semblables.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Mario Sergio (York West):** The bill amends the Electricity Act, 1998, to remove from the assets of Ontario Hydro or its successor the hydro transmission corridor lands, which are to be held by the province for recreational, public transit and similar uses.



1400

FAIRNESS IS A TWO-WAY STREET ACT  
(MINERS AND FORESTRY  
WORKERS), 2002

LOI DE 2002 PORTANT QUE LA JUSTICE  
N'EST PAS À SENS UNIQUE  
(MINEURS ET TRAVAILLEURS  
FORESTIERS)

Mr Ramsay moved first reading of the following bill:

Bill 14, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario / Projet de loi 14, Loi interdisant aux résidents du Québec d'exercer certaines professions minières et forestières en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr David Ramsay (Timiskaming-Cochrane):** The bill creates the Fairness is a Two-Way Street Act (Miners and Forestry Workers), 2002. The new act prohibits residents of Quebec from working in certain occupations in the mining and forestry industries in Ontario.

The Lieutenant Governor in Council may suspend the operation of the new act as it applies to a specified occupation if it is satisfied that the province of Quebec no longer restricts the right of Ontario residents to work in Quebec in that occupation.

Bountrogianni, Marie	Hardeman, Emie	Patten, Richard
Boyer, Claudette	Hastings, John	Peters, Steve
Bradley, James J.	Hodgson, Chris	Phillips, Gerry
Brown, Michael A.	Hoy, Pat	Pupatello, Sandra
Bryant, Michael	Hudak, Tim	Ramsay, David
Caplan, David	Jackson, Cameron	Runciman, Robert W.
Clark, Brad	Johns, Helen	Sampson, Rob
Clement, Tony	Johnson, Bert	Sergio, Mario
Colle, Mike	Kennedy, Gerard	Smitherman, George
Conway, Sean G.	Klees, Frank	Spina, Joseph
Cordiano, Joseph	Kwinter, Monte	Sterling, Norman W.
Crozier, Bruce	Levac, David	Stewart, R. Gary
Cunningham, Dianne	Mariand, Margaret	Stockwell, Chris
DeFaria, Carl	Martiniuk, Gerry	Tascona, Joseph N.
Di Cocco, Caroline	Mazzilli, Frank	Tsubouchi, David H.
Dombrowsky, Leona	McLeod, Lyn	Tumbull, David
Duncan, Dwight	McMeekin, Ted	Witmer, Elizabeth
Ecker, Janet	Miller, Norm	Wood, Bob
Elliott, Brenda	Molinari, Tina R.	Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Bisson, Gilles	Kormos, Peter	Martel, Shelley
Hampton, Howard	Marchese, Rosario	Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 75; the nays are 6.

**The Speaker:** I declare the motion carried.

1410

STATEMENTS BY THE MINISTRY  
AND RESPONSES

VIOLENCE AGAINST WOMEN

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Mr Speaker, our government has zero tolerance for violence against women and children. It's a serious problem and one that concerns all of us. Every woman has the right to live and work in safety.

We are encouraged by our progress. The message is getting out: violence against women is a crime. We will continue to build on our relationship with shelters, educators, legal advocacy programs and child care centres to support our front-line workers.

Every year thousands of children see or hear violence in their homes. These children are at risk and often continue the legacy of family violence.

Through our prevention programs, we are continuing to help children and young people to learn how to recognize the signs of an unhealthy relationship. We have made substantial improvements to our system of supports for women experiencing violence; however, there is room for improvement, and we are doing just that.

In 2001-02, we spent over \$145 million on programs and services to address violence against women and their children. This is an increase of 40% since 1995.

We are also working with the many community organizations and experts dedicated to preventing vio-

MOTIONS

HOUSE SITTINGS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, May 13, Tuesday, May 14, and Wednesday, May 15, 2002, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1402 to 1407.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Agostino, Dominic	Eves, Emie	Munro, Julia
Arnott, Ted	Galt, Doug	Mushinski, Marilyn
Baird, John R.	Gerretsen, John	Newman, Dan
Barrett, Toby	Gilchrist, Steve	O'Toole, John
Bartolucci, Rick	Gill, Raminder	Ouellette, Jerry J.
Beaubien, Marcel	Gravelle, Michael	Parsons, Emie

lence, supporting victims and educating Ontarians to end violence against women.

This government has taken action to ensure that the justice system treats victims with the respect and the support they need. We are allocating \$4.5 million in funding over five years to create a crisis line for assaulted women, so abused women across the province will have access to 24-hour, seven-day-a-week crisis services.

We have also taken important strides to address domestic violence, including increasing the number of domestic violence courts. There will be 54 courts by 2004, providing enhanced prosecution of abusers by crown attorneys specially trained in domestic violence issues, providing support for victims and specialized processing of these cases.

We have also increased our shelter funding by \$26 million over four years—this was a new announcement last year—to add 300 new shelter beds and to refurbish 136 others, and we are providing new funding for counselling, which will grow to \$9 million annually, for telephone crisis service and other shelter supports.

May is Sexual Assault Prevention Month on Ontario, a time when we shed light on a crime most people don't want to talk about, the crime of sexual assault.

Sexual assault is all too prevalent in our society. According to Stats Canada, one in three women surveyed nationally, or 39%, has been sexually assaulted. The majority—over 51%—of sexual assaults are committed against women between 16 and 21 years of age. This means that by the time they reach adulthood, far too many women will have experienced this form of violence. This is unacceptable.

The physical, emotional and psychological toll of these assaults on women is immeasurable. The impact on their families and on society as a whole is enormous. Violence tears families apart, targets the vulnerable and destroys our communities.

That's why we proclaim May Sexual Assault Prevention Month, as a way to place much-needed focus on the issue and to reaffirm our government's commitment to make Ontario safer for all Ontarians. We have developed a province-wide toll-free bilingual victim support line that offers referrals to victim services, information about the criminal justice system and information about the status and scheduled release dates of offenders.

In addressing violence as a learned behaviour, we have developed a new feature on the Ontario Women's Directorate Web site called Let's Talk About It. Created for young women and men, Let's Talk About It helps teens to learn how to recognize the signs of unhealthy relationships, identify potentially dangerous situations and learn what constitutes sexual assault.

Working in partnership with our communities, we will continue our work to end violence against women. That is why today we stand in unanimous support of the Daisy of Hope Campaign. A public awareness and education program dedicated to ending domestic violence, the Daisy of Hope Campaign originated, as was mentioned

earlier in the House, at Brantford's Nova Vita Women's Services several years ago, and I was there to launch this special announcement. It has since provided fundraising and public education opportunities for many women's shelters in Ontario. We encourage our members to show their support by wearing the daisy pin and to break the silence by acknowledging the impact of violence on the lives of women and girls in communities everywhere. Together we can make a difference by ending violence against women.

**Mrs Marie Bountrogianni (Hamilton Mountain):**

Violence and abuse against women is a serious issue. It can affect women regardless of age and social or economic background. This government claims to be committed to ensuring that victims of violence get the help they need and deserve. Yet independent sexual assault crisis centres throughout the province have been neglected by this Conservative government. Our assault crisis centres are delivering services at 1990 funding levels.

The emphasis on a law-and-order agenda by this government ignores the alarming 80% of women who do not, for many reasons, report on their assaults, and only 8% of the victims' access fund has been spent to date. The first point of contact for most women in need of help is through their community-based sexual assault centres. Minister, I am telling you today that these centres are struggling to provide outreach, counselling and education services.

We know that abuse in permanent relationships often starts in the dating years. Abuse against women is a serious problem among dating couples. One university survey found that 11% of male students were physically abusive toward the women they were dating and 6% used severe forms of violence against their partner. More alarming is that date rape has the lowest reporting rate of all forms of sexual assault, less than 1%. Ten days ago in Sarnia, 21-year-old Jessica was brutally killed. Her alleged murderer was her 24-year-old boyfriend. There was a restraining order, but both the crown and the police did not want him released in December 2001.

When will this government take a tough stand and crack down on the very serious threat of date rape drugs? Today in Ontario, a woman who suspects she may be the victim of a drug-induced rape can only be tested if she decides to get the police involved. We already know that less than 20% of victims go to the police. The government wants to drug-test welfare recipients but will not permit tests for date rape drugs.

The most shameful record of this government was brought to light by the Provincial Auditor, who discovered that in one Toronto shelter alone 1,000 women fearing domestic violence were turned away. In 1998, Hamilton taxpayers paid \$5,000 to find emergency shelter in hotel rooms for abused mothers and their children. In 1999, that figure increased to \$37,000 and, in 2000, skyrocketed to \$172,000. We are just beginning to see the disastrous and cumulative effects of cutting social assistance, social housing and social programs.



If we are to put an end to fear and violence, we need to educate young women and men. The character education initiative announced by my leader, Dalton McGuinty, would go a long way in teaching both our sons and daughters about respect, responsibility, empathy, choices, courage and self-esteem.

1420

In recent weeks, potential predators have come into our schools, ventured into the washrooms and waited for their prey: our children. This is nothing new, of course, but with fewer caretakers and fewer secretaries in our schools, the incidents have increased. Let us keep in mind that victims of abuse often grow up to be abusers.

Kids are dating earlier today. As a parent, that concerns me, but it also allows parents and teachers more opportunities for teachable moments. We can teach at home, and it should be supplemented in the school, that perverse power over another human being will not be tolerated. York region's character education program can be a model for the province on teaching all our students to respect one another, whether they are boys or girls.

Sexual assault is a form of bullying. Abusers don't become this way overnight. Unfortunately, not all children learn the lessons of respect at home—and yes, that is where they should learn it—but do we wash our hands of this responsibility when it doesn't occur at home? It truly does take a village to raise a child, and on this side of the House, we take that very seriously.

We need to begin to tackle the root causes of violence in our society. We are all responsible for ensuring that violence in all its forms, against women, children and men, is not tolerated. I join in wearing the daisy, a symbol of hope that we can put an end to fear and violence in this province.

**Mr Howard Hampton (Kenora-Rainy River):** Violence against women expresses itself in many ways, including sexual assault. Contrary to popular belief, women and girls are more likely to be assaulted by someone they know than by a stranger lurking in the bushes. Some 69% of women who have been sexually assaulted are assaulted by men they know; 38% of women are assaulted by their intimate partners, by their husbands, their common-law partners or their boyfriends. Contrary to popular belief, most sexual assaults occur in private places.

We must recognize the women who work on the front lines of this issue, those who face the challenges head-on every day, those who continue to ask governments to make the links between sexual assault, domestic violence and violence against women and who continue to ask governments to take action to prevent sexual assault and violence against women. We recognize the work these women are doing, but if all the minister and this government do is recognize May as Sexual Assault Prevention Month, then not enough is being done.

Every year we hear representatives from this government say that violence against women will not be tolerated and then talk about the punishment that will be meted out after the fact. The hard reality is this: preventing

violence against women in all its forms requires more than words from this government and more than punishment; it requires preventive action, and the action steps that must be taken have all been set out.

Two years ago we observed the death of Gillian Hadley, a mother of three who was sexually assaulted and murdered by her estranged husband. Her death was followed with a coroner's inquest. The jury in that inquest made a series of recommendations for this provincial government to implement to help prevent such future tragedies. To date, there has been no action on the recommendations coming out of the Gillian Hadley inquest, just as many of the recommendations from the May-Iles inquest of 1998 remain virtually unimplemented.

What do those inquests recommend? They recommend greater availability of shelter beds. They recognize that second-stage housing has to be made available. They recognize that in too many cases across this province, because of this government's attack against the poorest, because of this government's cuts to social assistance, women who fear domestic violence, women who fear sexual assault don't have the economic security to escape their situation. They have nowhere to go. They can't find an affordable place to rent. They don't have the money to put food on the table or to look after their children. Those recommendations have been made over and over again, but those recommendations are sitting on a shelf gathering dust. Meanwhile, women's safety, women's very lives are at stake.

In light of the recent rash of women who have been murdered by their partners or estranged partners, a rash of murders that echo the haunting events of June 2000 when Gillian Hadley was murdered, we demand more than words to end violence against women today. We demand action. Violence against women, sexual assault of women can be prevented. The recommendations are there. It's time for this government to do something on the prevention side instead of always talking about punishment after these tragedies have happened.

**Mr R. Gary Stewart (Peterborough):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for approximately five minutes regarding the passing of Kenneth Bryden.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

KENNETH BRYDEN

**Mr R. Gary Stewart (Peterborough):** I rise today to pay tribute to Kenneth Brdyen, a member of this Legislature from 1959 to 1967 representing the Woodbine area, who died on December 17, 2001.

Born in Ontario, the son of a Presbyterian church minister, he graduated from the University of Toronto in 1937. Two years later he attended—on scholarship, I may add—Oxford University, where he obtained a degree in economics, returning to Toronto, where he obtained his master's degree.



During the Second World War, Mr Bryden worked as an economist with the federal government in Ottawa. It was then that he moved to Saskatchewan to join Tommy Douglas's CCF government. As Deputy Minister of Labour, he drafted much of that province's present labour legislation.

At Queen's Park, Ken Bryden had a reputation as a ferocious critic, and it has been said that many were afraid to face him in this Legislature. Both his friends and his enemies held him in high regard for his role in bringing about several important changes to both Canadian and Ontario politics, such as the creation of the New Democratic Party.

When the CCF joined forces with the labour movement to form the NDP in 1961, Mr Bryden drafted its constitution and also played an important part in all major party decisions.

During his years at Queen's Park, Mr Bryden advocated for a provincial health insurance plan, fought for the province to pay for the construction of Toronto's Bloor-Danforth subway line, opposed the planned provincial sales tax and introduced a bill to limit campaign spending.

Mr Bryden retired from politics at the young age of 49 years, but some say he really never, ever left politics. He continued to be very concerned with urban affairs and was a naturalist and an avid bird watcher.

After leaving politics, Mr Bryden earned a PhD from the University of Toronto and later joined its staff, teaching political economics until he retired in 1984.

Mr Bryden leaves his wife, Marion, of 47 years.

On behalf of the government of Ontario and the PC caucus, let me express my sincere condolences to Marion and family, and let me express my appreciation for his contribution to our province and our country.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** On behalf of Dalton McGuinty and the Ontario Liberal caucus, I want to join the previous speaker in offering our condolences, particularly to the Bryden family and most especially to Marion.

My friend Mr Sterling, Mr Bradley and some others will remember that the late Ken Bryden's wife, Marion, served here as the member for Toronto Beaches from 1975 until her retirement in 1990. It was when Marion was here that I had an opportunity to meet Ken on a few occasions. I was not here when Ken Bryden served in the 1959-67 period, but he certainly did have the kind of reputation that Mr Stewart's very fitting words highlighted. My colleagues who served with him remembered Ken Bryden as an extremely vigorous, lively debater in just the ways that have been indicated.

1430

He could, I must say, not only be a fairly direct critic of the government, but at least on one occasion made a very telling observation about his colleague Stephen Lewis. Ken Bryden was one of those New Democrats in 1977 who was not very happy that the 40-year-old Stephen Lewis took his leave at what appeared to be the cusp of real opportunity for the Ontario New Democratic

Party. As I recall, Mr Bryden said at the time, "Stephen arrived in the leadership too soon, and he has left too early."

He was a man of real intelligence and commitment, not just to the NDP provincially but, as has been indicated, Ken Bryden from the late 1930s through till almost the end of his life played an extremely important role in the democratic socialist movements not just of this province but of the country. He was, as was indicated, a deputy minister in the first CCF government of Mr Douglas in Saskatchewan. He played a very important role in the CCF-NDP here in the late 1940s through the 1950s. He was elected in 1959 and left for the Elysium of academe in 1967.

He was part of a group—Jim Renwick, Stephen Lewis, Don MacDonald—who certainly gave the NDP, and the CCF as it was for some of that time, very real clout and influence in this place.

I was just thinking that in the history of the Legislature we've had a number of parent-child members. We've had Harry and Bob Nixon, we had Allan and Larry Grossman, we had Elie and Shelley Martel. I can think of only two husband-and-wife combinations who were here, not at the same time: Ken Bryden, succeeded later by his wife Marion, and in the 1960s one of Ken's very distinguished colleagues, Jim Renwick, served for a time with his wife Margaret, who was a member for Scarborough Centre while Jim was a downtown member here in Toronto.

So the Brydens have certainly had an important impact on the public life of this province, and I want to say, as a former colleague of Marion, that we, as the Liberal caucus, want to convey our sympathy to her and the family.

*Interjection.*

**Mr Conway:** Thank you. I missed Howard and Shelley. I'm sorry. How did I do that? I apologize. The Martel dynasty has tentacles in more directions than even I can recall.

But I want to say seriously to Marion and to her family that we remember Ken's contribution with fondness and we extend to her our sympathy and our condolences.

**Mr Howard Hampton (Kenora-Rainy River):** I too want to say a few words to recognize the contribution of Ken Bryden. I got to know Ken Bryden at a fairly young age. When I was still a high school student, a university student, I would attend NDP conventions, and I was always struck by this one fellow who during the course of an afternoon of debate would be at the microphone at least half a dozen times shouting, "Point of order, Mr Chair, point of order." I couldn't believe that somebody was that much into debate and discussion that they were almost constantly challenging the Chair. That was my first introduction to Ken Bryden: someone who knew all the rules backwards and forwards and believed you should use the rules whenever you can to get your point of view across. I think we could all learn something from him in this place.

The second time I met Ken Bryden was before I was ever elected. I was a teacher, and I was living in what was then the riding of Beaches-Woodbine, and the former Premier, William Davis, called a surprise election in the spring of 1977. Apparently someone had presented him with an opinion poll that said, "If you call an election now, you'll win a majority and escape the minority government situation that you're currently in." So Davis called a surprise election.

I had come home from school this day and was actually packing my luggage, and there was a knock at the door. First it was Marion Byrden—if you knew Marion, Marion wouldn't let you get a word in edgewise—handing you a leaflet and insisting that you had to vote for the candidate for Beaches-Woodbine, which of course was her. Then Marion left and Ken came to the door. Of course, Ken was the organizer, and he wanted to know if you'd put up a sign and if you'd work on the campaign.

So I spent two minutes trying to say to Marion that I was taking a leave of absence from my job. I was going to where I grew up to be a candidate there, but Marion didn't hear a word of it. Finally, after about two minutes of asking me if I'd take a sign, if I'd contribute, if I'd work on the campaign, Ken suddenly recognized what I was saying to him, that I was leaving to be an NDP candidate myself. He said, "What are you doing here? Get out of here." He was the ultimate organizer. You could not move in the riding of Beaches-Woodbine without seeing the organizational efforts of Ken Bryden.

But he was also in his lifespan an incredible public servant. Anyone who reflects upon the achievements of the CCF-NDP government under Tommy Douglas in Saskatchewan, the incredible legislative measures that were introduced, the introduction of medicare, as we now know it—Ken Bryden was one of those people who contributed specifically and generally to all of that.

Finally, he was an academic, and a very respected academic, at the University of Toronto. If you studied public finance or if you studied at all the intersection of economics and public life, Ken Bryden was there, teaching, writing, researching.

He was also an incredibly generous individual. I have to tell you, during the period of the NDP government from 1990 to 1995, every cabinet minister, indeed every backbencher, would receive missives from Ken Bryden indicating what should be done on labour law, what should be done in health care, what should be done on a whole number of fronts, all areas he had researched extensively. But he would often make sure as well that he contributed generously to campaigns, and he would search out candidates to make financial contributions to. In fact, following the 1999 provincial election—in my riding, we always fundraise before the election and after the election—I happened to be in my constituency office one morning and the phone rang. There was a very abrupt voice at the other end: "Hampton?"

"Yes?"

"It's Ken Bryden here. How much money do you need?"

Of course, I said, "Ken, however generous you feel."

About four or five days later, Ken Bryden sent a cheque for \$100.

He was an amazing individual who seemed to keep constant touch with virtually everything that was happening across the province. To anyone who reflects on his life as a member of this Legislature, his life as a public servant, his life as an academic, his life as a community organizer, not just in Beaches-Woodbine but in Toronto as a whole, and his life committed to his wife, who was also an MPP, he was really quite an amazing individual. I can say, I think, that all of Ontario is richer as a result of the kind of contribution Ken made.

Our condolences to Marion and to all those who knew and were close to Ken Bryden in his life. He was an incredible individual, and I wish there were more like him.

**The Speaker (Hon Gary Carr):** I will ensure that the kind words are sent out to the family.

#### PREMIER OF ONTARIO

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: I request unanimous consent for an emergency debate opposing the sell-off by this government of Ontario's public hydroelectricity system. At long last, there should be a debate before the government makes any further moves.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Dalton McGuinty (Leader of the Opposition):** On a point of order, Mr Speaker: I thought it would be appropriate, and I seek unanimous consent, to offer a few remarks upon the Premier taking his seat today for the first time.

**The Speaker:** Is there unanimous consent? Agreed.

1440

**Mr McGuinty:** I am very happy to be able to take this opportunity to welcome the member for Dufferin-Peel-Wellington-Grey back to the Legislature. Enjoy this one, Ernie.

The rigours of private life were obviously a little taxing. I just want to let him know that he is back among friends. I hope no one takes particular offence at this, but the fact is that life in opposition isn't all that lucrative. We're not made of money. Our caucus all chipped in when this guy left, and we bought him a toaster. We want the damn thing back.

Premier, congratulations. Congratulations on winning your recent by-election. Congratulations also on your successful race to replace the last Premier and become our new Premier. I hope to do the same thing myself shortly. While I'm at it, congratulations to all in your caucus who sought the leadership. Through your tireless efforts, you have served your party well. Now, through your record of criticisms of your government, you will all serve my party well.

Premier, you have returned to public service. You knew what you were getting into, and still you returned.



Politics, as you well know, can be a thankless, all-consuming, gruelling and exhausting job. But it can also be the most rewarding job in the world. Your job of Premier bestows on you the wonderful privilege of being in a position to make life better for some 12 million Ontarians. Draw strength from the knowledge that what you do is important and very worthwhile. As you carry out your responsibilities, draw strength as well from your loved ones. They, more than anyone else, will sustain you.

It has been my pleasure to get to know Isabel when she served in government. She is a fine person. You're lucky to have her on your side. For the life of me, I can't understand what she sees in you. But you are lucky to have her on your side.

You have spent the past few months travelling this province, as have I, Mr Premier. You know, as do I, that the people of this province are concerned. There will be time enough for partisan debate in this Legislature. For the time being, let me say this: this great province of ours needs us, needs every single person in this Legislature, to move it forward; not left, not right, just forward.

There's going to be an election in this province in a year or so. Between now and then, we both have a job to do. We on the opposition side must hold you accountable for how you govern. You must hold yourself accountable for how you govern.

Premier, you have a majority. In the end, just how accountable your government is to the people of Ontario depends heavily on you. You are the Premier of a province I care a great deal about. I expect that you will govern it fairly and with respect. As long as you do that, I will give you whatever help and support that I can, because that's my job. If you fail to do that, I will put as many roadblocks in your way as I possibly can, because that too is my job.

As their Premier, Ontarians need your unwavering commitment to serve the public interest. They need your integrity. You are here to serve this province. I respect that, and I respect you for it.

I want to wish you the very best of luck in your new job. Congratulations, Premier.

**Mr Hampton:** We were a bit concerned last week when the now member for Dufferin-Peel-Wellington-Grey was not able to take a seat. We were a bit concerned because the truth of the matter is that we have all missed him while he has been away. So we want to welcome him back, but I want him to know specifically why we missed him.

Many times we wanted to ask questions about Highway 407, but since he was not here to answer, we really couldn't ask him; now we can. Many times we wanted to ask questions about the lease of the Bruce nuclear station, but since he was not here, there was no sense in asking the question; now we can.

We understand that some, even some within his own caucus, wanted to ask questions about the MPPs' pension scheme, but we couldn't ask. I'm sure some will ask some of those questions now.

So I want to welcome Mr Eves back to the Legislature. What is particularly important from our perspective is that we know you can ask any question you like of the Premier. At no point can the Premier say, "That is not within my ministerial purview."

Of course, we would also like to know some other things, now that Mr Eves is back. We would like to know what you were doing during your eight- or nine-month sojourn on Bay Street. Of course, I expect many of those questions will be raised as well.

*Interjection.*

**Mr Hampton:** I just heard one of your backbenchers say, "None of those things are any of your business." I expect that the people of Ontario will, of course, want to know answers to those question.

We want to wish you well. We want you to know that we are prepared to work with you and work with your government in terms of accomplishing some of the very positive steps that have been outlined that need to be taken. But we also want you to know that, in a role as opposition, we intend to continue to ask those questions, some of which I've already outlined for you today.

No doubt you're in a hurry to respond to those questions, so I would not want to intrude any further into question period time. We welcome you back to the Legislature, and we look forward to having the opportunity to review and participate in the agenda you put forward and most of all to improve upon that agenda when we find that it is a little short of the direction that we think is required.

Congratulations on your re-election to the Ontario Legislature.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** On behalf of all of my colleagues in the House here, I would like to extend a very warm welcome to our new Premier, Premier Eves. I know I speak for everyone when I say that we're quite delighted and thrilled that he has chosen to return to politics in order that he can best serve the needs of the people in the province of Ontario.

I've known Mr Eves since I was elected in 1990, and I can certainly attest to the fact that he has always been most respectful of other people and their opinions, he has always taken the time to listen and to consult and then to take very decisive action. Personally, as I travel this province, I'm hearing very positive comments about the optimism and hope that I'm seeing. So, congratulations to Mr Eves on his return.

**The Speaker:** The Premier of the province of Ontario.  
1450

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** It's great to be back, Mr Speaker. It seems like I never left. I would say to the leader of the official opposition, I sure hope that toaster works on waffles. We toasted a few during the leadership campaign. I would say, through you, Mr Speaker, of course, to the leader of official opposition, Isabel's always spoken highly of you, Dalton.



It's really great to be back here. I had missed the leader of the third party and his interjections and his somewhat un-subjective, very subjective, points of view on different opinions, but at least he has a point of view on some subjects. I look forward to entering into those debates, not only about the subjects he mentioned here today but others as well, although I must say that I do prefer your singing, Howard, to some of the remarks made here today.

I think you've both pointed out a very important fact of public life. I've sat on both sides of the Legislature for approximately 10 years each. I would say to both of you that it is much better over here on this side of the House. However, I think the leader of the official opposition is quite right: everybody in this place, all 103 of us, have a role to play in taking the province of Ontario forward. I would hope that I have the opportunity to demonstrate over the next year and more—and more, I would add again to the sentence I just said—responsible and responsive leadership and government to the people of Ontario. The people, regardless of which party they vote for, which candidate they vote for, have placed their trust in their elected representatives, and it's up to each and every one of us every day to earn that trust and keep on re-earning it for the people of Ontario, and we aim to do exactly that.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is to the new Premier. On the subject matter of Hydro One, you cannot pretend not to be hearing the overwhelming and widespread concerns being expressed about your plans and the plans of your government to introduce some kind of privatization in one shape or form or another with respect to Hydro One. You've had the opportunity to receive the e-mails, to read the e-mails, to read the letters, to listen to your own backbenchers and to, I'm sure, receive telephone calls from very concerned Ontarians. In short, families, and even many, many businesses, don't want you to sell Hydro One, they don't want you to lease Hydro One; they consider it to be their Hydro One and they want it kept in public hands. Knowing all this, and claiming as you do now that you are a good listener, will you now listen to the people of Ontario and give up any plans to privatize Hydro One in any shape, way or form?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The Leader of the Opposition complained vociferously on several occasions that he wanted the government to listen to the people of Ontario. Now that the government is listening to the people of Ontario, he's complaining about that.

There are some very important objectives to be obtained here, and it's the objectives that are the important thing at the end of the day. There has to be a reasonable-

cost supply of energy for the people of Ontario for many generations to come. Surely, that is the first and foremost goal that should be on the minds of all Ontarians, regardless of their political stripe.

Obviously, the \$38-billion debt that the old Ontario Hydro built up over many generations has to be dealt with and there has to be an orderly plan to retire that debt. There has to be significant investment in infrastructure for hydro generation and for hydro distribution and wires for many decades to come, and there has to be protection for the consumer. And bearing in mind those four objectives, the government will listen—

**The Speaker (Hon Gary Carr):** The Premier's time is up. Supplementary?

**Mr McGuinty:** I want to come back to this matter of your commitment to listening. You tell us that you have a genuine and sincere interest in listening. Well, how can you, at the same time as you propose to listen, be launching an appeal in court so that you can overturn the judge's decision that said you can't go ahead with the sale of Hydro One? How is it you intend to introduce a bill here, notwithstanding, so that you can sell off Hydro One, all along claiming that you are listening?

Either you are listening or you are not. If you are listening, then you do the right thing: put this whole business of Hydro One on ice until the next election, and then you'll listen to the people in a real and genuine way when they get a chance to vote and to speak on this in a real way. Will you do that, Premier, put it all on ice until the next election?

**Hon Mr Eves:** Speaking of listening, the leader of the official opposition obviously hasn't heard a word I just said. Just because you have a very certain opinion from day to day on this subject, I say to the leader of the official opposition, you might want to wait to see what comes out of the public consultation process, what direction the government is going in and what the legislation says before you criticize it. You may be clairvoyant, but you might want to give us the courtesy of at least seeing what those things have to say.

**Mr McGuinty:** Premier, listening is not hard to do. It is hard to do from the 61st floor of Bay Street, but it's not hard to do when you're on the ground and you're talking to families and small businesses. I've been doing a lot of listening on this issue. Families and businesses are saying the same thing virtually unanimously. They don't want you to sell off their Hydro One. They understand perfectly that to convert a natural public monopoly into a private monopoly is not in their interests. They understand that there's only one electricity highway which delivers electricity into their homes and into their businesses.

It may suit you and your pals on Bay Street to sell off Hydro One, but it's not in the interests of Ontario families and Ontario small businesses. So why don't you listen to those people? They've been saying this for quite some time now. Why not do the right thing? Do the easy thing, Premier: put it all on ice until the next election and let Ontarians have a real say.

**Hon Mr Eves:** How can the leader of the official opposition criticize a plan when he doesn't even know what the plan is? We are consulting with the people of Ontario exactly as you asked us to do.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Eves:** The party of the honourable members opposite has consistently asked that the government listen to the people of Ontario. That is exactly what we're doing. They can't take yes for an answer. We're consulting with the people of Ontario, we're going to continue to consult with the people of Ontario, and after we have consulted with the people of Ontario and listened to what they're going to have to say, then it may or may not be fair for you to criticize the direction the government is going in. As usual, don't confuse you with the facts; your mind is made up before you even know what the facts are.

**The Speaker:** New question. Leader of the official opposition.

**Mr McGuinty:** I have a question on the same subject matter to the Premier. You know, Premier, if you would just lay out specifically what you want to do with Hydro One, it would be a lot less confusing for everybody in Ontario. At some point in time, Premier, you're going to have to come to a landing when it comes to Hydro One. You're going to have to make a decision. You're in the big chair, you're getting the big bucks; now it's time to make a decision.

I'm giving you the best advice I can. Do the right thing: take Hydro One; put it on ice. It's bad public policy. It's bad politics. Do what families and small business want. Put it on ice until the time of the next election. That's the best advice I have for you, Premier. Stand up now. Take a position on Hydro One. Tell us what you're going to do with Hydro One.

**Hon Mr Eves:** I may be mistaken, Mr Speaker, but I didn't hear a question in there; I heard a great speech.

1500

**Mr McGuinty:** Premier, I can understand your reluctance to offer any commentary whatsoever on the matter of Hydro One, because your believability and the believability of your government is at issue here.

Some time ago, in fact in June 1998 during the debate on the Energy Competition Act, your then-Minister of Energy, Jim Wilson, said, "We do not want a fire sale, so we're not talking about privatization. One of the reasons we're not talking about privatization is my dream for Ontario Hydro is that once again it will begin to return a healthy profit back to the shareholder, and that shareholder is the people of Ontario."

Why is it, Mr Premier, back then you would have us believe that you had no intentions whatsoever to privatize Hydro One, to sell off Hydro One, but today you are doing something completely different with your plans, the details of which you are unable to make forthcoming here today, to do something by way of privatization to Hydro One? Why is it that we should believe you today

when you're telling us that we couldn't believe the then-Minister of Energy, Jim Wilson, some three years ago?

**Hon Mr Eves:** It would appear that Mr Wilson isn't the only one who may have had a different opinion in 1998 and other times. You've said that you're in favour of partnerships many times, in favour of generation and the transmission of power, and now you're against it.

How can—

*Interjection.*

**Hon Mr Eves:** "And transmission," I said, to the member for Windsor-Walkerville.

*Interjections.*

**The Speaker:** Will the Premier take his seat. Premier?

**Hon Mr Eves:** If the leader of the official opposition would just let the government continue with its consultation process, to hear what the people have to say—

*Interjections.*

**Hon Mr Eves:** They don't want us to consult with the people of Ontario. They yip and yap and complain and criticize we're not consulting with the people of Ontario, and then when you consult with the people of Ontario, of course they don't want that because Mr McGuinty is smarter than everybody else and he's got the right solution.

**Mr McGuinty:** Let me tell you how bad it is when it comes to the believability issue in this government. The government filed on Friday last an appeal of the decision rendered by Mr Justice Gans, and I want to quote to you from a particular passage of it. It's just a very brief sentence. It says, "The minister's statements"—those are the very statements I read a moment ago wherein the minister said that privatization was not on the table. This appeal says, and this was filed by the government, "The minister's statements are not indicative of legislative intent and should be given no weight."

The government is telling us that a statement made by a minister of the crown during a very important debate over the restructuring of Ontario Hydro is to be given no weight. That's zero, that's nada, that's nothing.

Can you tell me, Premier, if you yourself, through your lawyers, have filed a document in court telling us that your minister's statements made in this Legislature are to have no weight, why is it that we should attach any credibility, any believability whatsoever, to your statements and anybody else's in the government when it comes to the future of Hydro One?

**Hon Mr Eves:** The document that was filed by the Attorney General of the province of Ontario—

*Interjections.*

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** It's off the table till after the election.

**Hon Mr Eves:** I say to the member for Vaughan-King-Aurora, I know he's frustrated at not being the leader of his party, but your day will come.

**The Speaker:** The leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Premier. I can understand the Premier's surprise that Liberals have suddenly discovered that Hydro privatization is an issue. But, Premier, I'm not



surprised. I've been to over 90 communities across this province, and they're unanimous in their opinion: "Don't sell off our Hydro." In fact, over 20 municipalities representing over five million people—

*Interjections.*

**The Speaker:** Order. Would the member take his seat, please. I hate to interrupt, but I can't hear, particularly when the members shouting at him are so close.

We'll just wait till everybody is quiet so he can ask the question.

The leader of the third party.

**Mr Hampton:** I didn't know Liberals were so opposed to questions being asked about Hydro privatization. You know yourselves that public opinion polls show that 70% of the people in this province are opposed to Hydro privatization. Over 20 municipalities representing five million people have passed resolutions opposing Hydro privatization.

You also know you have no mandate. All you've ever mentioned was some obscure term called "competition." You've never gone straightforward and said to the people, "Do we have a mandate to privatize Ontario's hydro system?"

So it seems to me, Premier, that you have two choices: you can either listen to the people and cancel your dirty deal to sell off our Hydro, or you can call an election and let the people have a say. Which is it going to be, Premier?

**Hon Mr Eves:** If the leader of the third party had been paying attention during the earlier part of question period, the government of Ontario is listening to what people have to say. The minister has held hearings in 10 cities already. He's listened to well over 50 groups which have presented their proposals suggestions and thoughts to him. We will continue to consult with the people of Ontario through a legislative committee, and we will listen to what the people of Ontario have to say. I would suggest to him that he wait until he finds out the direction in which the government is going, with the public's advice, before he takes a position on the matter.

**Mr Hampton:** Premier, you mentioned your minister's public hearings. I attended more of those so-called hearings than the minister did. In fact, your minister was really running private audiences. Some selected people, mostly investors who hope to make money out of Hydro privatization, were invited to speak. Other people who wanted to ask the question, "What happens to my hydro rates?" were told they were not welcome.

Premier, it comes down to this: we know that Bay Street wants Hydro privatized, we know that Bay Street has calculated they can make a lot of money buying up generating stations, buying up Hydro One and then selling more of the electricity into the United States at higher prices, but we also know that as soon as they can establish those export markets, the next piece will be that they will want Ontario consumers to pay that much higher a price.

The question is this: are you going to listen to the people of Ontario, who are telling you, "Don't sell off

our hydro system," or are you going to listen to your friends on Bay Street?

**Hon Mr Eves:** The 10 centres the minister went to in his consultations, heard views from unions, professors, private citizens, utility businesses, associations, politicians, labour councils, seniors, school board associations and business associations—it was not exactly, as he would lead one to believe, a series of invited guests. There were many diverse opinions from across the broad cross-section of the people of Ontario, and that is exactly how the public consultations will continue in the future.

1510

**Mr Hampton:** But the important question is, are you going to listen to the 70% of Ontarians who are saying, "Don't sell off our hydroelectric system, don't sell off an essential public service, don't sell off our most important public asset, don't sell off our fundamental economic advantage in this province"? That's the question.

People aren't really interested in whether you talk to your Bay Street friends once, twice or seven times. What they want to know is, are you going to listen to them, the 70% of Ontarians who are saying this is a bad deal? Are you going to listen to them and cancel this deal, or are you going to call an election and let the people have their say directly? You need to answer that question, Premier.

**Hon Mr Eves:** I know that the leader of the third party has his mind made up on this issue. He knows exactly where he wants to go on this issue. We want to find out from the people of Ontario what they have to say about various alternatives about the future of Hydro. Surely the important things are, do we have a future supply of electricity in this province for many generations to come at a reasonable cost, are we going to be able to deal with the serious debt of \$38 billion that the old Ontario Hydro allowed to accumulate over many decades, are we going to provide for the necessary capital infrastructure for electric power in this province as we go forward, are we going to protect the consumer? We aim to do every one of those four things as we go forward.

**The Speaker:** New question.

**Mr Hampton:** Premier, I'm going to send this submission over to you. This submission is from Professor Myron Gordon, who is a world-recognized expert in terms of hydroelectric utilities. He's a world-recognized expert in terms of the valuation of them and in terms of setting hydroelectricity rates. He wanted to make this submission to the Minister of Energy, but the Minister of Energy just argued with him.

His point is this: if you look at Hydro One, he says it is worth \$9.2 billion. Now, we understand that your government would be prepared to sell Hydro One for \$4 billion or \$5 billion—in other words, half price. Professor Myron Gordon says it's worth \$9.2 billion. Who is telling you that it's only worth \$4 billion or \$5 billion and that you should sell it for \$4 billion or \$5 billion? Who do you have? Enron?

**Hon Mr Eves:** I'm sure there are different individuals who have different ideas and opinions about what Hydro One is worth, either through an IPO or through other



methods. I note that he's quoting Professor Myron Gordon. He doesn't talk about his former Bob Rae government's good friend Maurice Strong—I believe you were the Attorney General in that government—and what his opinions are about the future of Hydro One. I thought you might want to mention him, seeing as how you people thought he was the person who should lead Hydro and you obviously value his opinion on the future of electricity in the province of Ontario. I find it surprising you didn't quote him.

**Mr Hampton:** I'm more interested in Myron Gordon, who is a world-recognized expert. My point is, Professor Gordon says that Hydro One is worth at least \$9.2 billion, and yet we know your government has been entertaining selling it off for \$4 billion, possibly \$5 billion. I want to know, where is your expert opinion that would support selling off one of Ontario's most important public assets for basically half price?

As for Maurice Strong, yes, it was Maurice Strong's opinion seven years ago that Hydro should be privatized. I was part of a government that said, "No, we're not going to sell off Ontario's most important public asset."

The question for you to answer is, if Hydro One is worth \$9.2 billion, why is your government entertaining offers to sell it for half price?

**Hon Mr Eves:** First of all, we're not entertaining offers to sell it. But I think I've heard here, just in the last few minutes, the leader of the third party saying, "If you're going to sell it, at least get the right amount for it," and you're now debating the price. Are you in favour of selling it or are you not in favour of selling it or are you in favour of selling it at a different price?

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. You will know that today I sent, on behalf of our caucus, a letter to you requesting formally a public inquiry into the shooting death at Ipperwash. Part of that letter included a powerful new memo showing the serious conflict between the Premier—and it's actually a dramatic illustration. Premier: "Removal NOW"; OPP: "Removal Later." The memo goes on to say that the issue is the "political direction of [the] OPP." It gets to the root of one of our major concerns about Ipperwash, and that is inappropriate political involvement in the policing affairs at Ipperwash.

Premier, will you today finally allow us to bring some closure to this issue and allow for there to be a public inquiry around the events surrounding the shooting death at Ipperwash?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I have said on numerous occasions that at the end of the civil lawsuit proceedings into Ipperwash, it may well be appropriate to call for a public inquiry into the Ipperwash tragedy. But until those civil proceedings are completed, I don't believe it's appropriate for the government to call for a public inquiry, and that point of view has been supported by the Ontario Provincial Police Association.

**Mr Phillips:** Today a law professor at the University of Toronto, Patrick Macklem, in quite a detailed brief that he made public, indicated why a public inquiry is the appropriate route and why a civil case is the inappropriate route.

I want to raise another issue, raised in today's memo that I sent you, which raises serious concerns about political involvement. The OPP in this memo says, "reluctant, since it appears to be a land dispute," that there is a "colour of right" defence.

My question is this. There's more hard evidence here that could have avoided this situation. As a matter of fact, you're probably aware that the crown was forced to drop 43 charges against the First Nations because they had this colour of right defence. The OPP, before the shooting, suggested they had. A year later, the crown dropped all charges. It is clear that the civil case won't answer the questions. The legal community agrees that it won't answer the questions. Will you do the right thing and call a public inquiry today?

**Hon Mr Eves:** I quite appreciate that there are different members of the legal community who have different opinions on the subject matter, but it doesn't mean that any one opinion is the right one. I understand and I respect the opinion that the member is enunciating here today, but it has been the practice of this House, including the practice of Ian Scott, the former Attorney General in a previous David Peterson government, that while there are significant issues before the courts, a public inquiry should be dealt with afterwards. Mr Scott tried to proceed with one in the Patti Starr affair, as I recall, and the Supreme Court of Ontario then ruled in that case that he should wait until those proceedings were finished before they could proceed with a public inquiry.

#### ONTARIO PUBLIC SERVICE LABOUR DISPUTE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is for the Chair of Management Board. Just a couple of weeks ago, this government ended the eight-week strike by the Ontario Public Service Employees Union. The withdrawal of services created a number of challenges for ministries. I believe that during the negotiations, the government was always trying to balance the competing interests of giving employees a fair deal with our duty to safeguard taxpayers' dollars, dollars that pay those employees' salaries.

As you know, I was in communication with strikers and picketers on almost a daily basis and reported concerns to you to help our government and our employees reach a fair settlement, a settlement that would be fair for both sides. Minister, could you tell me, did we achieve that goal?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** First, I'd like to welcome Premier Eves back. We're certainly happy to see you here. Secondly, I would like to thank the member for Haldimand-Norfolk-Brant for the question.

During our negotiations with not just OPSEU but, frankly, with any union that represents government employees, our goal is to find a negotiated settlement that's fair to the employees but also reasonable to the taxpayers of Ontario. I believe we've done that, not only in negotiated contracts with AMAPCEO and with PEGO, but certainly in this case with OPSEU as well.

1520

During the recent by-election in Nipissing, though, I must tell you the Liberals' failed candidate there wrote to me and said there was nothing as important as resolving the strike as soon as possible at whatever cost. However, I believe it's also important to balance this with the interests of the taxpayers. The government certainly has a role to ensure that other government priorities are looked at, like health and education, rather than simply giving in to a \$1.3-billion demand, which represented around a 43% increase.

I believe we reached a fair settlement, both to our employees and also to the taxpayers of Ontario and to the member over there from St Catharines, who is essentially—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

**Mr Barrett:** Thank you, Minister. I appreciate the answer from the Chair of Management Board. We all know he worked hard throughout the strike to make sure that the government could successfully reward its employees and continue the government's sound fiscal management, in contrast to what Liberals may have done.

Minister, we know that a strike is not business as usual, and while we know that there were a number of people who were inconvenienced by the impact of the union's decision to strike, we also know that a number of facilities operated on the 24-7 basis because their services were simply too critical to go without.

Minister, could you tell the House how the Ontario public service was able to manage during the strike?

**Hon Mr Tsubouchi:** The member from Haldimand-Norfolk-Brant hit the nail right on the head here when he said that during any strike it's not business as usual. Quite frankly, there were certain struggles during the strike but, to the credit of the public service, the dedicated people who work for us who were able to carry on with essential services.

I would like to point out that we had many folks who work for us who, through their hard work and dedication, were able to deliver these essential services. In fact there are nearly 1,000 managers across the public service who volunteered to work where help was most needed to ensure these services were delivered to the people of Ontario where they're needed.

We owe these managers in particular, whose tremendous dedication was able to make this work during the strike—they made us very proud—a debt of gratitude.

#### FORMER PREMIER OF ONTARIO

**Mr Rick Bartolucci (Sudbury):** My question is to the Premier. Premier, although you've taken your seat in the

House, your predecessor, Mike Harris, is still feeding off the public trough. While he collects his severance pay, his huge buyout, and while he looks for a job, the taxpayers of Ontario are footing the bill for an office for private citizen Mike Harris here at Queen's Park.

You know, with two Premiers occupying offices at the same time, it makes the people of Ontario wonder who really is in charge. No former Premier has ever been granted such a luxury, but for some reason this government feels that Mr Harris is entitled to such decadence.

My question to you is, under whose authorization did the move to give Mr Harris a retirement office at Queen's Park take place?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, the former Premier of the province, Mr Harris, is not receiving any payment for his work as the chair of Ontario's Promise. He is doing so on a voluntary basis. It is only appropriate that he have a space from which he can operate, with respect to Ontario's Promise only.

**Mr Bartolucci:** With all due respect, Mr Premier, the money Mr Harris is receiving to satisfy his whims would be better spent on children directly in this province.

Premier, this Harris cycle of dependency must be broken. We don't mind giving Mike Harris a hand up on his retirement through OPP security—God knows he needs it—but the people of Ontario are outraged at having to give Mike Harris a handout.

My question, Premier, is, for how long must this Harris cycle of dependency continue? For how long are you going to force Ontarians to give the former Premier this shameful handout?

**Hon Mr Eves:** Ontario's Promise is an organization that represents over 277 non-profit agencies in partnership with some 70 corporations, and to date they have raised over \$38.5 million, mostly for the benefit of young people across the province of Ontario. The former Premier is chairing that on a voluntary basis, and it's a huge undertaking of co-operation between the private sector and 277 non-profit organizations.

I'm sure the honourable member would be supportive of some of these organizations: 4-H Ontario, Big Brothers, Big Sisters, Boys and Girls Clubs of Canada, the Easter Seal Society of Ontario, the Sudbury Manitoulin Children's Foundation, the Volunteer Centre of Ontario, Volunteer Thunder Bay, Women in Motion, York Region District School Board and the Certified General Accountants of Ontario. I'm sure that you would be supportive of those organizations and many—

**The Speaker (Hon Gary Carr):** I'm afraid the Premier's time is up.

#### HYDRO ONE

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Environment and Energy. Before I ask my question, I would like to congratulate the minister on his appointment to this most important portfolio.



Over the last few months I've held three town hall meetings about electricity restructuring in my riding and have had many constituents write and call to ask what is happening and why. While they seem to understand the opening of the market, there have continued to be questions about why we are planning to sell Hydro One. Can you please explain why we're planning to do that and what is going on right now?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The opening of the market took place on May 1 of this year. I know there was a lot of doom and gloom offered up by some of the opposition members with respect to the doubling of the price and rolling blackouts and possibly brownouts in the province of Ontario.

*Interjection.*

**Hon Mr Stockwell:** I want to say that the member is not in his seat.

I also want to say that the average price the day it opened was 2.8 cents, considering it was 4.3 cents before the market actually opened. In fact, the average price hasn't exceeded the 4.3 cents that the market was before it opened. It has always been lower than 4.3 cents and in fact, yesterday, Sunday, it was 2.84 cents. So let's be clear. I understand the doom and gloom offered up by the leader of the third party and the opposition members. Talking about doubling of prices and rolling blackouts was in fact just doom and gloom. We have been prepared for this for some time. The market opened. It was a seamless opening. It's operating well. The regulatory bodies are in place, and Ontarians could look forward, I'm certain, to good, competitive electrical prices with fair supply.

**Mr Johnson:** Thank you, Minister, for that explanation. It seems that the recent reconsideration of our plan, despite the fact that many people were asking that we reconsider, has created even more confusion among my constituents and I'm sure others, particularly those who are heckling on the other side, like the member for Kingston and so on.

What can Ontarians expect to see as the next steps in this process?

**Hon Mr Stockwell:** What we've decided to do is in fact go out and consult with the people of Ontario. There are many options on the table that we're reviewing. There is the IPO that was discussed earlier, there is the income trust, there's flat-out lease, there's a strategic sale, they're talking about non-profits. These are the consultation processes that we've been working our way through.

Let's be clear, though. The only thing that isn't on the table is the status quo. The status quo put this province \$38 billion in debt with \$17 billion of assets. In previous administrations, including the members' opposite, political expediency took precedence over sound financial decision-making. Freezing rates, piling debt on debt on debt and asking our children to pay our hydro bills is not an acceptable public policy position to take. So we are looking at a variety of options. We have our criteria,

but we will not allow the Hamptons and the McGuintys of the world to continue to saddle our children with their hydro bills.

## CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the Premier. Today Charles Coffey and the Honourable Margaret McCain released their report on early learning and child care, and your government got a failing grade when it comes to implementing the provisions of the federal-provincial agreement on early childhood development. Coffey and McCain pointed out that your government has violated both the spirit and the intent of the federal agreement: first by excluding child care from this new federal funding; and second by reducing provincial funding of child care when the agreement calls for an expansion of children's services.

1530

Premier, in April 2002 your government should have received about 150 million new federal dollars for early childhood development. In light of today's important announcement, can you tell us how much of that new federal money will now be invested in regulated child care in Ontario?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Community, Family and Children's Services.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I thank my colleague across the way in the NDP opposition for the question. This government recognizes that child care is very important and we've worked very hard to find ways to provide services to families as they need them to continue in their lives happily.

The question today referred to the early childhood development dollars that have been transferred to Ontario from the federal government. It was about \$114 million. The comments that she refers to indicated that they wished more money to be directed to child care. At this time, we have decided that priorities in Ontario that need to be funded include things like funding for autism, for the Early Years challenge fund, for investing money in children's mental health. We have continued and, in fact, increased our investments in child care, but this money has been directed to particular priorities of our government.

**Ms Martel:** Let me remind the minister what Coffey and McCain had to say today: "The three largest provinces have not only excluded child care but also reduced spending for regulated child care and other children's services in violation of the agreement's intent to expand service provision."

Coffey and McCain also pointed out that child care was an integral part of the earlier McCain-Mustard Early Years Study. So integral that, in fact, it was the key recommendation when establishing community-based childhood development and parenting services. Now this government has completely violated the spirit of the

agreement, has shelved that key recommendation from McCain and Mustard because this government has diverted federal money away from regulated child care and has also cut the budget for regulated child care in the province of Ontario.

The report says: "It is essential for the provincial government to recognize and fund quality child care services as the core of an integrated plan for child development...."

Minister, when will you endorse the recommendations made by McCain and Coffey and will you commit to providing new money in the budget for regulated child care in Ontario?

**Hon Mrs Elliott:** The commitments made by the first ministers clearly state that the provinces have wide latitude in how they use this funding because different provinces have, indeed, different needs. Our commitment has been to increase a range of supports that help some of our most vulnerable children here in Ontario.

I understand there are requests for increased child care and I appreciate that. Certainly as a new minister, I give you my full undertaking that I will consider that. But in the interim, our government has decided that the best place for that federal funding to be invested is into programs like autism, like mental health, where we view the greatest good can be done by those dollars for the children in greatest need.

#### HYDRO ONE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Premier and it concerns the potential sale of Hydro One. Let me be clear, I personally and very strongly oppose the sale of the electricity highway to private interests. But looking at the debate which has been going on with a great fury in the business press over the last number of months, it seems that the principal argument for the initial public offering of Hydro One is that it will, in a very significant way, help the province pay down the \$20 billion plus worth of stranded debt. Can you confirm to this Legislature today that in the event there is an initial public offering of Hydro One, the first \$4 billion worth of proceeds will go not to the stranded debt but rather to the province in recognition of its equity interests in Hydro One?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, that's a hypothetical question. Second of all—

*Interjections.*

**Hon Mr Eves:** Well, it is a hypothetical question.

When the province decides which route it's going to go, you'll certainly have every opportunity to comment and participate in that debate. The proceeds from any potential sale of Hydro One, as I understand it, would go to pay the stranded debt. That's where they would go.

**Mr Conway:** I have a lot of respect for my friend, my old neighbour from Parry Sound, the former Minister of Finance. But I have to tell him that the Ministry of Finance, among others, is telling us very clearly—and I

want everybody to hear this—that if you sell, through an initial public offering, Hydro One—and the estimate that's being talked about is you might realize something in the range of \$5 billion to \$6 billion, a lot of money. Finance is making it clear that the first \$4 billion of that money goes not to retire the stranded debt, but rather to Her Majesty in right of the Ontario government in recognition of its equity interests in Hydro One. So not more than about 25 cents of the dollar realized from a potential privatization goes to retiring the not insignificant stranded debt, on top of which the provincial government forfeits in perpetuity, on an annual basis, something like \$330 million.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The auditor wouldn't let us do that.

**Mr Conway:** I'm only repeating what finance and others are telling interested members of the opposition.

Can you confirm, Mr Premier, former Minister of Finance, that in the event there is an IPO, the first \$4 billion of the monies realized goes not to retiring stranded debt, but rather goes to the provincial government in recognition of its equity interests in Hydro One?

**Hon Mr Eves:** I'd be happy to check that out with the Provincial Auditor and get back to the honourable member, and I'd be happy to take his question under advisement.

#### OAK RIDGES MORaine

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Municipal Affairs and Housing. It relates to the Oak Ridges moraine. The commitment that this government made to protect the Oak Ridges moraine, both through legislation as well as the regulations announced by the minister on April 22, was an historic piece of legislation welcomed by people from across the province. That announcement—which, as we know, was supported by environmentalists, who for years have been advocating for the protection of the moraine—was in fact historic in the sense that some 300,000 acres of land have been protected.

However, accusations have been made by an environmentalist who is suggesting—and he's capturing some profile through this accusation—that somehow the government has failed to deliver on its original commitment as outlined by you in November. Minister, can you assure us today that this individual's accusations are unfounded and that, in fact, the government's announcement in November is consistent with the Oak Ridges moraine plan as supported by regulation?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** We don't deal with particular individuals; we deal with responsible environmentalists representing groups that have an accountability framework and a history that we can all be proud of: the Nature Conservancy of Canada; the Federation of Ontario Naturalists; the Save the Oak Ridges Moraine Coalition. These groups and their representatives worked very, very hard



over the summer to come up with advice for the government, which we announced on November 1, which this House unanimously supported. On April 22, we released the regulations that outlined a plan that is what we announced on November 1.

All members of this House, including the member from Oak Ridges, should be very proud of the accomplishment. I think it's an historic achievement. It's an area of land that stretches 160 kilometres, that varies in width from north to south, that is unique and should be passed on to future generations. I think we should all be proud of that.

**Mr Klees:** With regard to some of the concerns around this announcement, relating specifically to some additional development that is in fact being allowed on the moraine, can you give us some assurance that these additional housing units being allowed on the moraine will not in any way compromise the integrity of the moraine, and tell us what safeguards are in place to ensure that the environment will not be negatively affected by this additional development.

1540

**Hon Mr Hodgson:** There's a lot of detail in the question the member from Oak Ridges mentions, because he cares deeply about this area, the Oak Ridges moraine.

The water policies are cutting-edge. They will provide for protection of the quality of the aquifer as well as the quality of our cold-water streams. We have natural features protected, 100% of the significant features. The ones that are clumped together form core areas and they're connected with linkage areas from one side of the moraine to the other. There will be a trail system and there will be a foundation set up to oversee and to raise money from the federal government, from other partners and from environmental groups to bring this plan to completion.

I think it's an historic accomplishment. There are compliance requirements. Every official plan and every municipality has to come into conformity with the Oak Ridges moraine plan within 12 months, 18 in the rural, and there are huge fines if they're not followed.

## HYDRO ONE

**Mr Michael Bryant (St Paul's):** My question is to the Premier, and I guess it's further to the question from the member for Renfrew-Nipissing-Pembroke.

The question is about what happens to the proceeds of any sale of Hydro One. He asked you to confirm what would happen with respect to paying down the debt. I know since he's asked the question the Minister of Energy has come and spoken with you and consulted with you. Perhaps he spoke to the issue; perhaps he didn't.

My question is this: are you telling me that you're the Premier of Ontario and you don't know what's happening in terms of where the proceeds of the Hydro One IPO are going in terms of paying down the debt? Is it going to paying the equity commitment, \$4 billion, and

then \$1.5 billion to pay down the debt, or is it not? Either Conway's right or Conway's wrong. Which one is it?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I've already answered the question. I've told the honourable member from Renfrew that I would contact the Provincial Auditor if my understanding of what happens to the proceeds going to pay down the stranded debt is not correct. I took the question under advisement. I said that I would get back to the honourable member.

**Mr Bryant:** There's been just enormous confusion engendered by this government, and the public is quite rightly confused. In 1998, the Minister of Energy says no privatization. Then in 2001, the government of Ontario says privatization is on—flip-flop. Then in the spring, Mr Justice Gans says that the government cannot do this, to which the Minister of Energy says, "We're going to flip-flop from the first flip-flop, and we're in fact going to come forward with an income trust," to which the Premier of Ontario—he flips; he doesn't like that. He says, "We're going to stick with the IPO." Then two days later we get another flip-flop as we're told that now in fact the IPO is off the table for now, ie, flip-flop to come. Well, then Flaherty flips, because Flaherty finds out there's another flip-flop. And from the province of Ontario's point of view and the people of Ontario's point of view, all they see is this government flipping and flopping.

So the question is, are we today flipping, are we flopping or are we flip-flopping?

**Hon Mr Eves:** I think the honourable member just flipped out. We've taken the question under advisement. Obviously the government is guided by what the Provincial Auditor wants us to do in terms of how the issue is dealt with.

**Mr George Smitherman (Toronto Centre-Rosedale):** How can you not know the answer?

**Hon Mr Eves:** I would say to the honourable member for Toronto Centre-Rosedale, if you have been around this place for 20 years, as I have, you will come to realize pretty soon that the Provincial Auditor quite often has different points of view as to bookkeeping treatment of different sales and assets.

*Interjections.*

**Hon Mr Eves:** Well, he does, quite frankly, and that's why we have a system called the public accounts, where the auditor reports in about August of every year, and he tells what his difference of opinion is with the provincial government's dealing of certain monies that came into the—

**The Speaker (Hon Gary Carr):** The Premier's time is up. The member for Parry Sound-Muskoka.

*Interjections.*

**The Speaker:** Order. The member for Parry Sound-Muskoka.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Labour. I'd like to first of

all congratulate the Minister of Labour on his new position.

Minister, at this time of year, many students are preparing to head off for their summer jobs. For many, this will be their first time in the workplace. Can you tell us what our government has been doing to help prepare these young workers to ensure their health and safety at work is protected?

**Hon Brad Clark (Minister of Labour):** I thank the honourable member for his question. Our government is working with partners to ensure a vision of Ontario where young workers and students are free from work-related injury and illness. As a matter of fact, we happen to believe that strong enforcement of the rules is simply not enough. We have to develop a comprehensive education program whereby we can actually prevent injuries from happening. That is the goal of the program.

To that end, the new four-year secondary curriculum program in Ontario now includes for the first time health and safety information for grades 9 to 12, and teachers are provided the Live Safe! Work Smart! curriculum resource guide to assist in teaching this valuable information.

At the Ministry of Labour, we have taken a leadership role with many parties. I want to stress very clearly that the government is working with the Workplace Safety Insurance Board, 14 different health and safety associations, labour leaders, the Safe Communities Foundation, the IAPA, as well as a number of ministries, to develop programs where we can protect students in the workplace.

**Mr Miller:** Minister, you mentioned the Live Safe! Work Smart! program that's being provided for secondary teachers. Could you tell us a bit more about that program, please?

**Hon Mr Clark:** The release of the material for Live Safe! Work Smart! has been a phenomenal success. The feedback from teachers, principals, parents and students has been overwhelmingly positive. We've provided teachers with support materials such as lessons, over-heads, tests and exercises. More importantly, Ministry of Labour staff have travelled across the province providing in-service training to selected teachers, representing all boards of education. These achievements have been possible through collaboration with the Ministry of Education and the Ministry of Training, Colleges and Universities and a terrific partnership with the Ford Motor Co of Canada, the Canadian Auto Workers and the Workplace Safety and Insurance Board. Without these partners, we couldn't develop a program which has this commitment to such a worthy cause as preventing injuries to young people.

#### MUNICIPAL ELECTION FINANCES

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. A recent poll suggests that the majority of Canadians have started to lose faith in their politicians. I stand here as a member of the opposition,

but I think even the members of the government must recognize that everyone in this House must do everything we can to restore faith in our democratic institutions. I'm here this afternoon to ask if you will launch a public inquiry into the serious allegations that have been made in the city of Toronto concerning lawyer, lobbyist and Conservative fundraiser Jeffery Lyons, who may have breached the Municipal Elections Act. A former employee has sworn out statutory declarations outlining how this was done. The press in Toronto have detailed this in some considerable degree for the last week. I have called upon the Ontario Provincial Police to conduct an investigation, but they have declined to do so because the alleged infraction took place in Toronto. I have called upon the Toronto police to investigate it. They said they cannot do it, because there is a conflict of interest.

Rather than wasting time shopping for another police force to look into this, why don't you call a public inquiry to get to the bottom of this allegation?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'd like to refer that question to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** The member posing the question, I understand, has previously filed a complaint with one police force. That police force has indicated to him that another police force would be a more appropriate forum to consider this matter. I don't know whether he has or intends to file that complaint with the other police force. What I do know is that members of this Legislature shouldn't be interfering in a police investigation or a potential investigation, and for that reason, I think it would be inappropriate to comment further.

**Mr Prue:** With the greatest of respect, now I've had two police forces refusing to do it and we're now shopping for a third one. With respect, normally having a police investigation would be the route to go, but this is not a normal case. The Toronto police have a conflict because Mr Lyons was the vice-chair of the police board and some of the current members received donations in question.

In that Mr Lyons was the government appointee to the Toronto police board, there's an even bigger reason why you should clear the air and call a public inquiry. Why won't you call an inquiry? Don't you know the facts behind the allegations? Don't you want the public to know how widespread the problems really are? And don't you want citizens to have a mechanism where they don't have to go from police force to police force in order to find out why these things are happening in Toronto?

1550

**Hon Mr Young:** I find it somewhat curious that the member opposite is suggesting that for the general public it is good enough for one to go to the police, have them conduct an investigation and, if they deem there to be reasonable probable grounds, a charge be laid and it goes in front of the court. But in this instance, where he seems somewhat unsatisfied with the fact that the police haven't been so disposed, he wants us to somehow or other



intervene and for there to be a shortcut. I think that to be inappropriate. I would suggest to my friend that if he has allegations, if he has evidence, if he has concerns, he should go forward to law enforcement and put those concerns in front of him.

## MOBILITÉ DE LA MAIN-D'OEUVRE DANS LA CONSTRUCTION

### CONSTRUCTION LABOUR MOBILITY

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Ma question est au ministre du Travail. Monsieur le Ministre, vous êtes maintenant en poste depuis au moins quatre semaines. Je me demande si vos employés vous ont mis au courant de la situation de la mobilité des travailleurs de la construction, un problème qui existe depuis maintenant des années, on dit depuis 25 ans. L'ancien ministre du Travail avait mis en place le projet de loi 17 que vous et votre gouvernement aviez mis sur la tablette après les dernières élections, et surtout après avoir dépensé plus de deux millions de dollars des citoyens ontariens.

Même si nous avons eu la grève qui a duré 52 jours, je crois que vous avez eu amplement de temps, aussitôt la grève terminée, et que vous auriez les personnes nécessaires pour retourner sur les chantiers de construction afin de voir l'injustice qui se passe ici en Ontario qui est causée par la Fédération des travailleurs et travailleuses du Québec. Est-ce que vous avez été mis au courant de la situation ?

**Hon Brad Clark (Minister of Labour):** Our government remains committed to the elimination of interprovincial trade and labour mobility barriers. I have been apprised of the situation. Enforcement is looking into the situation now that the OPSEU strike is over and we're on top of things.

**Mr Lalonde:** For the last five years Ontario's taxpayers have paid over \$50,418,000 to workers who have injured themselves on construction sites in Ontario. This is due to the fact that you people don't have an inspector on job sites in Ontario. I took the time to go around with Charlie Greenwell from CJOH with his camera to look at a construction site which had been completely invaded by Quebec construction people. We saw that the people didn't wear safety shoes and no safety hats, and if you look at the report you will see how many broken toes we had. But this is due to the cutting or reducing of staff at the inspection level, and they come and work here without any safety precautions. This is costing Ontario taxpayers millions of dollars. Are you going to reinstate the number of inspectors we should have?

**Hon Mr Clark:** We're strongly committed to enforcing occupational health and safety legislation. Since 1995, over 800,000 new jobs have been created, and during that time inspections have increased by 32%, convictions are up by 24% and lost-time injury rates have dropped by 30%. So with all due respect to the honour-

able member, we have increased convictions, we have increased inspections and we're doing the job the way we should.

## PETITIONS

### HYDRO ONE

**Mr James J. Bradley (St Catharines):** I have a petition for the Legislative Assembly of Ontario.

"Whereas the overwhelming majority of the people of Ontario wish to retain Hydro One in the realm of the public sector;

"Whereas Hydro One is considered to be the crown jewel of the electrical power structure in Ontario, and that for reasons of security it should be retained in the public domain;

"Whereas the sale of Hydro One would allow private interests to control the transmission grid for the entire province, for their own profit-oriented interests;

"Whereas an Ontario court judge has ruled that the sale of Hydro One is illegal;

"Whereas private interests stand to benefit from the sale of Hydro One at the expense of Ontario families;

"We, the undersigned, petition the Legislative Assembly of Ontario" to accept the advice of opposition leader Dalton McGuinty, who recommends that Premier Eves should "abandon his intention to sell Hydro One."

I affix my signature to this petition, as I consider it to be in the interests of the people of Ontario and I agree with its sentiments.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that is signed by thousands of Ontario families. It reads as follows:

"Whereas an internal government document indicates the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same document indicates the government is also considering eliminating all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource budget on to municipalities;

"Whereas further cuts would run counter to the support identified for regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

"Whereas the Conservative government received \$114 million last year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

"Whereas other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program; and

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government's mandate and we demand that future federal Early Years funding be invested in an expansion of affordable, regulated child care."

Speaker, in light of the report released today by McCain and Coffey, this report is more important than ever. I agree with the petitioners.

### HOME CARE

**Mr John O'Toole (Durham):** I have a petition from my riding of Durham.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, support the philosophy of caring for the elderly, the handicapped and the infirm within their homes and communities wherever possible; and

"Whereas caregiving by paid professionals in the home is not always the preferred choice of family members; and

"Whereas we believe in some circumstances it is more reasonable and compassionate for the government to use the money assigned to professional caregivers to support those family members who would prefer to remain at home to care for their relatives; and

"Whereas caregivers who work outside the home often carry an extra burden of guilt and anxiety when they leave their loved ones in the care of strangers while they go out to work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to provide financial support to those residents of Ontario who choose to remain with their loved ones and care for them at home. And we respectfully ask that the Minister of Health and Long-Term Care and any other relevant ministries give full consideration to developing legislation and policies to support caregivers who care for their relatives in their homes."

I am pleased to support and sign this on their behalf.

### HYDRO ONE

**Mr Monte Kwinter (York Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I have affixed my signature to this petition.

1600

## ORDERS OF THE DAY

### THRONE SPEECH DEBATE

Consideration of the speech of His Honour the Lieutenant Governor at the opening of the session.

**Ms Marilyn Mushinski (Scarborough Centre):** I move, seconded by Mr Wettlaufer, than an humble address be presented to His Honour the Lieutenant Governor as follows:

To the Honourable James Bartleman, Lieutenant Governor of Ontario:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us.

Before I begin I would like to indicate that I will be sharing my time this afternoon with the member for Kitchener Centre.

On behalf of the people I represent in my riding of Scarborough Centre, it's my honour and privilege to move today the adoption of the first speech from the throne from the government led by Premier Eves, and I would submit that history will record this to be the first of many speeches from the throne introduced by the Eves government.

I say this because I'm confident that the people of Ontario will continue to demand strong leadership from their government. The reason for this is simple: Ontario's Progressive Conservative government has broken the mould and has actually kept the promises it made to the voters during the 1995 and 1999 election campaigns.

I, together with my fellow members on this side of the House, promised voters at the doorsteps that we would cut taxes, and we did, despite those across the way who said it couldn't be done. We promised that we would create an economic environment that would create new jobs, and we did, with more than 880,000 new jobs being created since we took office in 1995. And we promised to balance a budget that had grown dangerously out of balance, and on this too we delivered, and Ontario's economy is now extremely healthy.

When tough decisions had to be made we were there. As a result, Ontario is now in a new era. We must of course continue to be fiscally responsible. We must continue to work at making Ontario an even more attractive place in which to do business and create new



jobs. That is what the constituents of Scarborough Centre tell me they want, just as I am sure that all Ontarians desire that Ontario be a leader in economic growth and in job creation.

This government did not make the tough decisions just for the sake of being tough. No, they were made because we knew that the tough decisions of yesterday would yield an economic environment that would allow us today to provide greater services to the people of Ontario.

Two weeks ago I had the honour of welcoming health minister Tony Clement to Scarborough Centre. He was there to announce capital funding of \$15.4 million for the Scarborough Hospital. I was particularly proud to be part of that announcement because I believe it is an example of the good news that has been made possible by the tough decisions that we made earlier. In fact, the Minister of Health's announcement followed similar announcements from the province.

A strong economy permits this kind of investment. This government, by focusing on creating a strong economy, has got the fundamentals right. That is why we are able to invest in the services that my constituents and all Ontarians want and need.

Let me take a few moments to look more closely at the detail contained in the throne speech. I submit that the detail of the throne speech reflects quite closely that the government has listened to the concerns of Ontarians. It has listened and now it is acting on those concerns. That's why the government is planning to deliver more stability in classrooms and hospitals by introducing a three-year base funding model for school boards and is moving toward multi-year funding for Ontario hospitals. This progressive step forward addresses the concerns of front-line workers in both sectors. Multi-year funding provides our hospitals and our school boards with an environment where they can plan ahead to meet the future needs of our community. By providing these measures, the government is providing hospitals and school boards with the tools to obtain better results: better health care outcomes and better student achievement, something I believe we all want in this House.

These are important bottom lines. It's important to recognize them because they are indicators of better health care delivery and better student achievement. By managing the province's finances wisely, by fuelling economic growth and tax revenue—in short, by getting the province's bottom line in order—the government has positioned itself to fundamentally improve the workings of our hospitals and our school boards.

We know it was not easy, but today we can recognize that the tough decisions of the past are now yielding improvements in all areas that our citizens value most. This is not all. The throne speech signals the government's intention to make further improvements to education and health care. I am sure that people have taken note that the first action of the Eves government was to put an additional \$65 million into textbooks and learning resources. This, of course, was followed immediately by an additional \$25-million expansion of the early reading

program and the introduction of a new early math program. Once again, the government has directed taxpayers' dollars into areas of the highest priority.

We all know that students will graduate facing far more significant challenges than when I was young and when most of us were young. It is important that all students get off to the right start at school so that their student careers can position them to take a full part in Ontario's growing economy. That's why additional funds have been targeted to make sure that all students get off to the right start in their early years at school. These are important improvements to Ontario's publicly funded school system. Once again, we see that the government has listened and that the government has acted.

In Scarborough Centre, my residents have told me that they want education to be a priority with this government. They have also told me of their concerns with the present school funding formula. I was particularly pleased to see that the government has heard these concerns and has rolled out a plan of action. Last Friday, Dr Mordechai Rozanski and the Education Equality Task Force began their review of the education funding formula. Later this year, we will see the results of this review, and I expect that the report will provide guidance to better ensure that each and every school board has the resources needed to deliver a quality education to the children of this province.

#### 1610

Furthermore, last Friday signalled more action by this government to improve education across the province when the education minister announced that the next school year would see school boards having nearly \$350 million more in funding than this year. This new investment represents an increase from \$13.86 billion to a record \$14.21 billion for the coming school year, which represents a 2.5% increase over last year.

There's more good news for education also. It's important to note that the new funding takes into account the different school boards and their different school priorities. That is why the government has set aside \$200 million in the local priorities amount. This marks an increase from \$100 to \$200 per student for school boards to help meet their ongoing costs, including classroom teachers, special education and remedial help for students. On top of this, \$86 million is being dedicated for enrolment growth.

Additionally, \$15 million will be directed toward helping students who may be at greater risk of not achieving their educational goals. Taking into account that not all school boards are experiencing increasing enrolments, \$23 million will help these boards offset the effects of declining enrolment.

Finally, the Minister of Education's announcement provides an additional \$23 million for student transportation. Taken altogether, Friday's announcement means Ontario's school boards will enjoy more flexible funding to help them provide better learning opportunities for Ontario's children.

Of course, the educational needs of the province go beyond the school system. Today, many young people

attend a university or college in Ontario, more than ever before. This is good news for an Ontario that is going to depend on highly skilled people to drive our economy to new heights in the years ahead. I've heard concern in my riding about high tuition fees, so I'm particularly pleased that the throne speech announced that the government will increase the student opportunity trust fund to give 400,000 students who have the academic qualifications but lack the financial resources the chance to realize their dreams of a post-secondary education.

There can be no doubt that my constituents in Scarborough Centre place a high value on making improvements to our overall education system. That is why I am so pleased to note the government's plans to improve education, as outlined in the throne speech. By being fiscally conservative, the government is able to target scarce resources to the areas that my constituents value most.

I spoke earlier of the announcement two weeks ago by the health minister in my riding. As mentioned, an additional \$15.4 million will fund improvements and expansion at the Scarborough Hospital. This is in addition to the original capital grant of \$23.8 million, which was announced in 1999 to expand the capacity of the Scarborough Hospital. Altogether, the Ontario government will be providing \$39.2 million to make improvements for my constituents at the Scarborough Hospital. This funding will enable the hospital to expand its critical care wing and its birthing services. The expanded critical care wing provides a new emergency department, a state-of-the-art intensive care unit, a critical care unit and diagnostic imaging departments.

I know there was great concern in my riding and across this province when the Health Services Restructuring Commission was given its mandate. But the Scarborough Hospital funding announcements show us that the groundwork has indeed been laid to make Ontario's hospitals more effective and more efficient than ever before. The commission's directions and recommendations provided the basis for hospital capital projects. This has led to reinvestment through consolidation and expansion of hospital facilities in order to accommodate Ontario's growing and aging population.

Today, as a result of the tough decisions taken by the government in the past, Ontario is going through the most extensive modernization of hospital services undertaken in Canada.

I know that I can be fairly accused of looking at the world through the Scarborough Centre perspective, but I can also see that other communities are benefiting as well from the skilled financial management and foresight of this government. In fact, since April 18, I have taken note that the Ontario government has reinvested more than \$366 million in 12 communities or hospitals or health care facilities across the province.

There was a commitment of \$28.1 million to advance three components of Kingston General Hospital's capital redevelopment fund; \$20.4 million is being dedicated for redevelopment at Sudbury Regional Hospital; \$108.4

million has been allocated toward the cost of the North Bay Health Centre, which includes North Bay General Hospital and the Northeast Mental Health Centre; \$73 million was announced for various projects at the Ottawa Hospital, including renovations to the critical care, birthing and in-patient units at the General site.

Over the past month, we have also seen over \$14 million in capital grants, including \$7.8 million in cancer services announced for the Hamilton Regional Cancer Centre and \$6.9 million to complete a new tower at St Joseph's Healthcare in Hamilton. A further \$21.6 million is being invested at London's St Joseph's Health Centre, while \$32 million was allocated to the London Health Sciences Centre. As well, \$11.2 million is being dedicated to fund improvements and expansion at Lennox and Addington County General Hospital.

I would be remiss if I did not mention Mr Ken White, president of the Trillium Health Centre in Mississauga South, as mentioned by my good friend Mrs Marland, who recently acknowledged publicly that the inaction of previous governments was what led to the funding pressures that we have now been able to deal with.

I could go on, for I have not exhausted the list of new health care funding announcements that have been made over the last month. I think, however, that you can sense that major investments are being made to better ensure quality health care for the people of this province in the years ahead.

Once again, with the benefit of hindsight, we can see that the tough and, I will admit, sometimes unpopular decisions of the past are now yielding the results that Ontarians can applaud and welcome.

As important as improvements to our hospitals are, they are not the sum of quality health care for Ontario's citizens. That is why the throne speech signals advances in many other areas.

The government has again been listening. That's why the role of nurse practitioners will be expanded. The government will more than double the number of nurse practitioners and expand their presence into long-term-care facilities, community health centres and emergency rooms.

**1620**

As you know, the government has been taking steps to provide around-the-clock health care service to the people of Ontario. Telehealth, a service where an individual can contact a nurse at any time of the day or night, is now in place across the province to assist with health care advice from the comfort of your home.

People have told me that they want quality health care around the clock and quality health care that is universally accessible. That is why the government has created family health networks. Family health networks are another innovative and important part of the government's plan to increase access to medical services. Fourteen pilot projects are already underway across Ontario, and the target is to see 80% of eligible family physicians practising in family health networks. The goal, as always, is to respond to the requests that govern-



ment improve the quality and accessibility of health care for Ontarians wherever they live.

Since 1995 the government has increased the number of MRI machines by almost 400%, from eight to 41. I remember very well the joy I felt when former Minister of Health Jim Wilson quickly responded to my plea for new diagnostic imaging at the Scarborough Hospital, as well as renal dialysis. That was back in 1995, when Scarborough had been waiting for years for these advanced diagnostic tools. That day was among the most satisfying of my political career. I'm very pleased to see that communities across Ontario have been the beneficiaries of these new technologies just as my constituents in Scarborough Centre have.

I am very pleased, therefore, to learn from the throne speech that the government plans to add more MRIs and will immediately increase their OHIP-funded hours of operation by 90%. This means that Ontarians will have the best access to MRI diagnosis in all of Canada.

The throne speech makes clear that education and health care are key priorities of the Ernie Eves government. As I have said, the positive steps forward contained in the throne speech did not spring from thin air. No, today's improvements are made possible because the government was prepared to make the tough decisions that previous governments lacked the courage to make. In their naiveté they thought we could tax and spend freely without making sure the fundamentals were in order. We have learned some valuable lessons over the years. Talk is cheap, but real economic reform leading to more resources for peoples' priorities is much harder. Now we can finally see from the throne speech that tough decisions do yield handsome rewards.

Look at the economic achievements of the government. Since 1995, more than 880,000 net new jobs have been created as a direct result of the prudent economic management of this government. Our tax cuts have indeed yielded the economic growth that I promised to my voters at the doorstep in 1995. Ontario is now back on the right track. We continue to create new jobs despite the economic slowdown south of the border. Where once we paid out welfare benefits, people are now working and contributing the taxes that enable the government to make new investments in health care, education and the environment.

This throne speech shows that Ontario is indeed on the right track. I am accordingly pleased and honoured to move adoption of the Ernie Eves government's first speech from the throne.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's quite a privilege for me to be able to second this motion. I have to say that I take a great deal of pride in the accomplishments of our government in the past seven years, but we also recognize that we have a long way to go. The people of Ontario expect it, and of course our new Premier, Premier Eves, has given them every expectation that he will deliver.

I want to say that as a government I think we have provided seven years of very strong leadership. That's a

message that was given in the speech from the throne. I'd like to quote, if I could. Decisive leadership means having "the strength to listen and the courage to act."

Now, what has happened with that strong leadership? Well, the province of Ontario has led the economy of the country. Ontario has become, once again, the engine to drive this country's economy to be the strongest in the western world. That's quite an accomplishment if you just think about it. More than 882,000—882,700 in fact—net new jobs have been created in the province of Ontario since 1995. That means that 882,700 people who were not working under the previous government now have a job. Some 600,000 people who were collecting welfare—a piddly little cheque from welfare—now have a job. They actually have a job that they can go to at 8 o'clock or 9 o'clock in the morning or, if they happen to work shift work, at some other time during the day, and they can then go home to their families with a little bit more money than they could when they were collecting welfare. They can feel a sense of pride, something that their family also needs to feel. Is it good for a family, young children, to see that their father or mother is on welfare? Is it good for them? Is that what we want? Of course not. Any government with a heart wants to provide jobs.

Now, we can either be a government whose largesse outstrips reality and creates all kinds of government jobs or we can try to create an environment in which the economy becomes so strong that jobs are in demand. That is what our government has done for seven years, and that is why I was very pleased to see that the direction of the government over the course of the past seven years will continue.

Now, are there some changes that will take place? Yes, there are some changes that will take place. We've all heard the critics, especially that left-wing alternative government that brought out its statement last week, say that there was a reduction in health care spending. We are now spending record amounts in health care in this province. No other government has ever spent what this government is spending on health care. Is it enough? Well, how much is enough? We have an aging population. We recognize that. We have more diseases. We recognize that. We have improved medications, improved drugs that cost a lot more money, improved treatments that cost a lot more money.

We also have a higher incidence of breast and prostate cancer. The Premier has committed to putting as many resources as we can to eliminating breast and prostate cancer in the province of Ontario in 10 years. Is it realistic? We have to have a goal, but we are going to put all our resources toward that endeavour.

1630

Is there more work to be done? Yes. There is more work to be done to provide timely front-line access to important health services such as nurse practitioners. We know that we need nurse practitioners. We know that, because we know there is a shortage of doctors, not just in Ontario, not just in all of Canada, not just in North

America; there is a worldwide shortage of doctors. There is a worldwide shortage of general practitioners. There is a worldwide shortage of specialists. We need nurse practitioners to pick up some of the load.

We need more access to community hospitals and diagnostic technology, like MRIs. We are going to double the number of nurse practitioners in the province. We will expand their role to include long-term-care facilities, community health centres and emergency rooms. And we are going to provide stability to our funding of hospitals. We will give them three-year predictability, which is what they want. David MacKinnon, the president of the Ontario Hospital Association, after the reading of the throne speech last week, was pleased. He said, "This is what we were wanting, this is what we were looking for."

Our government shares the goal of students; we share the goal of teachers; we share the goal of parents, to ensure that every student in the province has the opportunity to receive a high-quality education. Isn't that what everybody wants? We are world leaders in this province in ensuring that students have a high-quality education, but we know that there are challenges out there. We know that more resources need to be allocated. We know that more funding stability is needed. So we have endeavoured to give school boards three-year periods to budget and plan—again, what they wanted.

There were critics in both the health care area and in the education area who said, "This is all very good, but the money they're talking about isn't enough." How much is enough? Do we want to go back to the days of the NDP government, when the government was spending so much money, building so much debt that the people of this province were being taxed into oblivion, when businesses were no longer expanding because taxes were so high, when working people were actually considering leaving the province, when we actually did have a brain drain, where young professionals were graduating from university and leaving the province? Do we want to go back to those days? I don't think the people of Ontario want to go back to those days. Certainly the people in my riding whom I have talked to for the last five months don't want to go back to those days.

There is no indication anywhere in this province, in spite of the NDP and Liberal criticisms—the NDP and Liberals who say we should eliminate all of the tax cuts or we should put them off for a year—and I have not had any indication in my riding that anybody wants to do without the tax cut.

**Mr Dave Levac (Brant):** You should ask them.

**Mr Wettlaufer:** Oh. The member from Brant, even though he's not in his seat, said that I should ask them. Well, I don't know about you, member from Brant—through you, Speaker—but for the last five months, I have been asking them.

**Mr Levac:** Specifically.

**Mr Wettlaufer:** Yes, specifically. And they don't want their taxes to go back up. I know that the Liberals advocate eliminating some of the tax cuts that we have

brought into effect. I know that. You have voted against every tax cut that we have brought in. I know that. But the people of Ontario don't want to go back to those days of tax and spend under the Liberals or the NDP.

The throne speech announced the expansion of a highly successful student opportunity trust fund. This will assist an additional 400,000 students in their educational pursuits—400,000 students.

Now, we announced plans to give municipalities the tools to move ahead on water treatment, transportation and other local infrastructure projects by offering opportunity bonds tax-free to investors. Some of you may think that that's anathema. On this side of the House, we don't think that's anathema. And do you know the strangest thing? Municipalities don't think so either. They think that's a very progressive move.

**Mr Levac:** Mel does.

**Mr Wettlaufer:** Well, we're not getting into that, I say to the member from Brant. I won't go there.

**Mr Levac:** Go ahead. Say something nasty.

**Mr Wettlaufer:** I won't say anything nasty about Mel. No, I won't. Maybe the member from Brant wants to, and I'll give him the opportunity some other time. But I won't do that.

The government also announced plans in the throne speech to double the number of nurse practitioners serving smaller communities. Now, smaller communities understand this—a measure that will allow numerous communities to access important health services when a doctor is not available.

I already talked about the fact that many of the smaller communities have a shortage of doctors. My own community, which is not a small community, has a shortage of doctors, as does all of Ontario, as does all of Canada, as does all of North America. There's a number of reasons for that. I know the members of the opposition parties don't really want to hear this, but part of it is that it's difficult to attract young people to medical fields.

I've talked to a couple of the presidents at the universities and asked them about this, and they said young people aren't fascinated by medicine any more. It's a fact of life. It has nothing to do with morale. It has nothing to do with money. But it may have to do with the fact that the long hours of a medical career just don't interest some of them.

We know that doctors have made many sacrifices. I know a couple of doctors in Kitchener right now who are wrapping it up, closing their doors. One is in his 40s; another one is in his early 50s. My wife's rheumatologist is retiring as well, and he's in his early 60s. It's because of the strain on the medical profession.

So it will be difficult to attract increasing numbers of young doctors. But that's not just Ontario; that's throughout the world.

Ontarians have said—and this was in the throne speech—that they do not want classrooms and hospitals to be battlegrounds. I think I raised that issue with Premier Eves during the leadership debates. Of course I



think you know, Speaker, that I supported the Premier in his leadership bid—

**Mr Gilles Bisson (Timmins-James Bay):** In his battle against teachers, in his battle against nurses.

**Mr Wettlaufer:**—and at no time did he ever indicate that a battle would continue or that there would ever be a battle with teachers or with nurses. It is the Premier's feeling that these people are deserving of the highest respect. But nevertheless—

**Mr Bisson:** You've finally seen the light.

1640

**Mr Wettlaufer:** I say to the member for Timmins-James Bay, no, I haven't seen the light. You are finally understanding what I've been saying for seven years. Maybe I'm saying it in much simpler terms. I can appreciate that.

The Premier knows that these people have challenges. He knows that they have every expectation to be respected. He knows that they are respectable people. But I think we also have to face reality, as they need to face reality: that there are only so many dollars in the pot. There are a lot of demands in this province. Regardless of whether or not someone deserves more money, if we start giving in to every demand, then we're going to have massive deficits. I don't think the people of Ontario want that any more.

The first action of our government was to put an additional \$65 million into textbooks and learning resources. That was needed. We knew that. That was immediately followed by a \$25-million expansion of the early reading program and the introduction of the new early math program—both needs that we on this side of the House knew needed to be addressed. The Premier committed to it, and did so.

We also heard over the course of the last six months, maybe longer, that health care was the number one priority of everybody in Ontario. In fact, it's the number one priority of everybody in Canada. Yet even though the provincial governments keep devoting more and more resources to health care, the federal government refuses to do so.

I don't like to criticize the federal government unjustly, but I don't think this is unjust. When health care became a government move in the 1960s, the federal government agreed to take on 50% of all health care costs. That has been ratcheted down through the years, such that the federal government now contributes 14% of all the costs of health care in the province of Ontario. The federal government does not contribute to pharmaceutical products. The government does not contribute to long-term care. The federal government does not contribute to any of the increased costs.

It was interesting. I was driving back from Madoc today. Of course, I'm in communication with my staff. I understand that the member for Timmins-James Bay stood up and was talking about the fact that the government has now recognized under OHIP that wet macular degeneration will be funded by the Ontario government; I think it was the member for Timmins-James Bay.

Anyway, the comment was made that the federal government has done this for months. Contrarily, the federal government has not contributed one cent, not one cent, to wet macular degeneration. The federal government increase its share of funding? You've got to be kidding. The moon's made of cheese. It must be.

**Hon Brad Clark (Minister of Labour):** Green cheese.

**Mr Wettlaufer:** Green cheese.

We are supporting our researchers. That is how we will endeavour to find a cure for breast and prostate cancer within the next 10 years. Wouldn't it be nice to eradicate those diseases?

If you think about it for a minute, we have an aging population, Speaker. You and I are in this age group that we now have to have a prostate test every year, and you and I could find out over the course of the next year that we have prostate cancer. Other members in this Legislature have done so over the last couple of years. This is serious. This is why it is important that we expend monies in research. That's why it is important that we spend time supporting our researchers.

**Mr Bisson:** I had to pay 25 bucks for my PSA test.

**Mr Wettlaufer:** I say to the member from Timmins-James Bay, you can afford to spend 25 bucks on your PSA test, and so can I. Anybody who can afford to spend money on scratch-and-win or whatever those are called can afford 25 bucks on a PSA test.

We've created the Ontario Family Health Network, an innovative and important part of our plan to increase access to medical services. Fourteen pilot projects are underway in this province. It is our goal—our target, if you will—to see 80% of eligible family physicians practising in family health networks, along with nurse practitioners, along with nurses. We believe that this is an answer to providing timely access to patients throughout the province.

I do want to talk briefly about tax cuts. We don't want to do it just because it's some kind of ideology. Tax cuts do improve the economic climate. They are responsible for much of the economic prosperity that we have in this province. Why is it that we have outstripped the economic growth of every other province in Canada? Why is it that we have outstripped the economic growth of our most important trading partner, the United States? Why is it that we've outstripped the economic growth of every other country in the G8? Many of the American states have said that they wish they were moving ahead as quickly in the area of tax cuts. My only fear is that they are going to do likewise over the very near future.

Since 1995, I want to repeat, 882,700 net new jobs have been created in the province of Ontario. I can remember when the member from Scarborough-Agincourt six months after the election in 1995 would stand in his place and say, "You're behind target, only so many jobs have been created," and then a month later he would stand up and say, "You're behind target, only so many jobs have been created," and this went on, every month for about two years because he didn't understand the

effect of economic lag. It takes time for the jobs to catch up to the improvements in the economy. Well suddenly, after two years, when the jobs were ahead of target, he was no longer standing up and saying, "You're behind target." We haven't heard any more from him about the number of jobs that have been created in this province. In fact, we haven't heard anything from anyone in the opposition benches, or the third party benches for that matter, about the number of jobs that have been created in the past seven years.

We all should take a sense of pride. Even if the members of the opposition or the NDP want to revel in some of the negative growth from time to time, we all, as members of this Legislature, should take pride in the fact that we have the leading economy in the entire G8.

You shouldn't just criticize, as members of the opposition. I'm not saying, "give credit," but revel in the efforts that the people of your ridings have made to create these jobs as well. And maybe just acknowledge, from time to time, that our economic policies have worked.

1650

It's interesting that since 1995 the Liberals have opposed every tax cut that our government has moved to put into effect. In fact, the opposition Liberals have stated from time to time that they would move to repeal some of the tax cuts.

**Hon Mr Clark:** It's all in here.

**Mr Wettlaufer:** I can't imagine that even the Liberals, I say to the Minister of Labour, would repeal all of them. Now, I know the NDP would, but the Liberals? It's hard to say.

But tax cuts do improve the economic climate. They improve the climate for business, they do encourage investment and they do make our companies competitive. That's a fact of life. If you reduce your costs in any business, I don't care how it is, you become more competitive. Even the value of the Canadian dollar makes them more competitive.

We understand that creative solutions are needed to raise funds needed for important local infrastructure projects. We know that; we acknowledge it. So that's why we endeavour to give the municipalities the tools they need through the opportunity bonds.

In environment, the opposition can say what they want. In fact, from time to time I hear them raise the spectre of Walkerton. Let's raise the spectre of Walkerton for a minute. Under whose government were two people appointed who directly contributed to the problems in Walkerton?

**Mr Ernie Parsons (Prince Edward-Hastings):** That is a cheap shot.

**Mr Wettlaufer:** A cheap shot?

**Mr Parsons:** Yes.

**Mr Wettlaufer:** It's a fact: two people.

We have introduced Ontario's clean water legacy trust that will focus our actions, our policies and our reporting, as well as enforcement efforts toward this critical goal. A clean water centre of excellence will be located in

Walkerton. We're trying to fix what the Liberals didn't do either.

**Mr Parsons:** Who closed the labs?

**Mr Wettlaufer:** What did you do, I say to the Liberal members? What did you do? I say to the members of the NDP, what did you do?

**Mr Bruce Crozier (Essex):** We didn't wait until somebody died.

**Mr Wettlaufer:** In a report that was produced on Walkerton, the situation was ongoing through three governments: that one, that one and ours. We have moved to ensure that something like Walkerton never, ever happens again.

We also recognize as a government the need to ensure that Ontarians can depend on having reliable, accessible and affordable electricity today and in the future. Now, we have a situation with Ontario Hydro. We have Hydro One, which has been allowed through the course of many years to build up a debt of \$38 billion. I will say this in very simple terms that even the Liberals and the NDP can understand. There's a debt of \$38 billion, there are assets of \$17 billion: 38 minus 17 leaves a stranded debt of \$21 billion. In other words, gentlemen—I'll reduce this to smaller numbers for you—two minus one is still one, except that you have minus two and plus one, so you have minus one. In this case we've got minus 38 plus 17, so we've got minus 21, a stranded debt of \$21 billion.

Somebody over in the NDP benches today indicated that we could sell a stranded debt of \$21 billion for \$9.2 billion. Well, I've got news for you. I'm a businessman. Granted, I was a small businessman and I didn't deal in billions of dollars; I only dealt in millions of dollars. But I've got to tell you, I wouldn't pay \$9.2 billion for a business with a stranded debt of \$17 billion.

**Mr Crozier:** You told me you were an executive.

**Mr Wettlaufer:** I was that once too. I was an executive until I decided to go into business for myself.

The Premier has set out four very important objectives in the throne speech: we will ensure a sufficient supply of energy that is competitive; we will ensure that the necessary capital exists to rebuild and modernize the transmission and distribution of power in this province. Understand, Hydro One has indicated that not only do they have this massive stranded debt but they need somewhere between \$5 billion and \$8 billion to restructure the infrastructure, to improve, to modernize the infrastructure. So we have to ensure that that capital exists. We also have indicated in the throne speech that we must bring discipline to Hydro One to prevent the recurrence of this massive \$38-billion debt. If I say it fast I realize it doesn't sound like so much.

**Interjection:** Say it slowly.

**Mr Wettlaufer:** Thirty-eight billion dollars.

Let me think: \$38 billion works out to about \$3,000 for every man, woman and child living in the province of Ontario. That's just the Hydro debt. If that's allowed to increase, then we are taxing our children's future.

I could have made a whole lot more money if I had stayed in business rather than come to this Legislature in



1995. But I came here out of a sense of frustration, a sense of devotion, a sense that I would not sacrifice my children's future any further.

Our fourth objective in electricity is to achieve the above three targets while protecting Ontario's energy consumers. Nothing could be more plain. We have seen, over the course of the last couple of days, the media's reaction to the throne speech across this province. The news media have been generally very positive. Even those who normally would be critical toward a PC government have said, "It looks good. It looks reasonable. Let's at least give them time."

We will continue our efforts in these areas, and we will continue our efforts on crime. I know that even the member from Brant will support us in that area. We are going to continue our efforts to stamp out child prostitution and child pornography, we will maintain a zero tolerance for violence against women and we will continue to reform our correctional system, making it tougher, safer and more efficient.

**The Deputy Speaker (Mr David Christopherson):** I believe the member had indicated—go ahead.

**Mr Levac:** I move adjournment of the debate.

**The Deputy Speaker:** That's not the motion, but we'll change the script as we move along. That's fine.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. The motion is carried.

I am looking for another motion from the Chair of Management Board.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I move adjournment of the House.

**The Deputy Speaker:** It is the pleasure of the House that the motion carry?

All those in favour, please say "aye."

Were there any opposed?

Hearing only one opposed, I declare the motion carried.

This House will stand adjourned until 6:45 of the clock this evening.

*The House adjourned at 1701.*







**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas-	McMeekin, Ted (L)		
Flamborough-Aldershot			
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)		
Beaches-East York	Prue, Michael (ND)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Springdale			Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Halton	
Brampton-Ouest-Mississauga		Hamilton East / -Est	Agostino, Dominic (L)
		Bountrogianni, Marie (L)	
Brant	Levac, Dave (L)	Hamilton West / -Ouest	Christopherson, David (ND)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Lennox and Addington	
	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Hoy, Pat (L)		
Chatham-Kent Essex		Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Davenport	Ruprecht, Tony (L)		Gerretsen, John (L)
Don Valley East / -Est	Caplan, David (L)	Kingston and the Islands /	
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston et les îles	
		Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
		Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel-	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales		
Wellington-Grey		Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
		Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Durham	O'Toole, John R. (PC)		
Eglinton-Lawrence	Colle, Mike (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Elgin-Middlesex-London	Peters, Steve (L)		
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	London North Centre /	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
		London-Centre-Nord	Wood, Bob (PC)
Essex	Crozier, Bruce (L)		Mazzilli, Frank (PC)
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London West / -Ouest	
		London-Fanshawe	
Etobicoke North / -Nord	Hastings, John (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	Vacant	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

# CONTENTS

Monday 13 May 2002

## ROYAL ASSENT

The Lieutenant Governor ..... 9

## MEMBERS' STATEMENTS

**Water quality**  
Ms Di Cocco ..... 10

**Salvation Army**  
Mr Wood ..... 10

**Ontario drug benefit program**  
Mr Parsons ..... 11

**Hydro One**  
Mr Johnson ..... 11  
Mr Bisson ..... 11

**Minister of Environment and Energy**  
Mr Bradley ..... 11

**South Asian Heritage Month**  
Mr Gill ..... 12

**Premier's comments**  
Mr Smitherman ..... 12

**Nurses**  
Mr O'Toole ..... 12

## REPORTS BY COMMITTEES

**Standing committee on government agencies**

The Speaker ..... 13  
Reports deemed adopted ..... 13

**Standing committee on public accounts**

Mr Crozier ..... 13  
Debate adjourned ..... 13

**Standing committee on finance and economic affairs**

Mr Beaubien ..... 13  
Report presented ..... 13

## FIRST READINGS

**Electricity Amendment Act (Hydro Transmission Corridor Lands), 2002, Bill 13, Mr Sergio**

Agreed to ..... 13  
Mr Sergio ..... 13

**Fairness is a Two-Way Street Act (Miners and Forestry Workers), 2002, Bill 14, Mr Ramsay**

Agreed to ..... 14  
Mr Ramsay ..... 14

## MOTIONS

**House sittings**  
Mr Stockwell ..... 14

Agreed to ..... 14

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Violence against women

Mrs Cunningham ..... 14

Mrs Bountrogianni ..... 15

Mr Hampton ..... 16

## ORAL QUESTIONS

### Hydro One

Mr McGuinty ..... 20, 21

Mr Eves ..... 20, 21, 22, 26, 27

Mr Hampton ..... 21, 22

Mr Johnson ..... 24

Mr Stockwell ..... 25

Mr Conway ..... 26

Mr Bryant ..... 27

### Ipperwash Provincial Park

Mr Phillips ..... 23

Mr Eves ..... 23

### Ontario public service labour dispute

Mr Barrett ..... 23

Mr Tsubouchi ..... 23

### Former Premier of Ontario

Mr Bartolucci ..... 24

Mr Eves ..... 24

### Child care

Ms Martel ..... 25

Mrs Elliott ..... 25

### Oak Ridges moraine

Mr Klees ..... 26

Mr Hodgson ..... 26

### Occupational health and safety

Mr Miller ..... 27

Mr Clark ..... 28

### Municipal election finances

Mr Prue ..... 28

Mr Young ..... 28

### Construction labour mobility

M. Lalonde ..... 29

Mr Clark ..... 29

## PETITIONS

### Hydro One

Mr Bradley ..... 29

Mr Kwinter ..... 30

### Child care

Ms Martel ..... 29

### Home care

Mr O'Toole ..... 30

## THRONE SPEECH DEBATE

Ms Mushinski ..... 30

Mr Wettlaufer ..... 33

Debate adjourned ..... 37

## OTHER BUSINESS

### Introduction of member for

**Dufferin-Peel-Wellington-Grey**

The Speaker ..... 9

Mrs Witmer ..... 9

### Reports, Integrity Commissioner

The Speaker ..... 9

### Board of Internal Economy

The Speaker ..... 10

### Wearing of daisies

Mr Levac ..... 10

Agreed to ..... 10

### Commissioners of Estate Bills

The Speaker ..... 13

### Kenneth Bryden

Mr Stewart ..... 16

Mr Conway ..... 17

Mr Hampton ..... 17

### Premier of Ontario

Mr McGuinty ..... 18

Mr Hampton ..... 19

Mrs Witmer ..... 19

Mr Eves ..... 19

## TABLE DES MATIÈRES

Lundi 13 mai 2002

## SANCTION ROYALE

La lieutenant-gouverneure ..... 9

## PREMIÈRE LECTURE

### Loi de 2002 modifiant la Loi sur

l'électricité (biens-fonds

réservés aux couloirs

de transport de l'électricité),

projet de loi 13, *M. Sergio*

Adoptée ..... 13

### Loi de 2002 portant que la justice

n'est pas à sens unique

(mineurs et travailleurs forestiers),

projet de loi 14, *M. Ramsay*

Adoptée ..... 14

## QUESTIONS ORALES

### Mobilité de la main-d'oeuvre

dans la construction

M. Lalonde ..... 29

Mr Clark ..... 29



CA2 CN  
X1  
-023

Government  
Publications



No. 2B

N° 2B

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 13 May 2002

Lundi 13 mai 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 mai 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### NUTRIENT MANAGEMENT ACT, 2001

#### LOI DE 2001 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Resuming the debate adjourned on December 11, 2001, on the motion for second reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / *Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.*

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Mr Speaker, I will be sharing my time tonight with the member for Essex.

I am very pleased to be able to participate in this debate and make a few comments on the omissions in this bill. I do not remember when a bill has seen so much discussion in my riding. Of course, this may be because of the construction of a large factory hog farm in Sarsfield in my riding. In fact, at my latest count it appears we will have not only one large hog mega-farm moving to my riding from Quebec but as many as five. It is our responsibility as legislators to protect our environment and ensure we have proper legislation in place to protect Ontarians before we allow such operations to establish in our communities and cause our water and air to be polluted.

I first wanted to say that I am fully in favour of a nutrient management bill, but I have questions about this bill. I do not remember when a bill has seen so much discussion in my riding. Of course, this may be because of the construction of a large factory hog farm in Sarsfield in my riding. In fact, at my latest count it appears we will have not only one large hog mega-farm moving to my riding from Quebec but as many as five. It is our responsibility as legislators to protect our environment and ensure we have proper legislation in place to protect Ontarians before we allow such operations to establish in our communities and cause our water and air to be polluted.

Quebec now has 165 municipalities that are no longer allowing expansion of factory hog farms, as their water tables are already polluted, and so they are now moving to Ontario, a place where no regulations on hog farms exist and where, for over five years, we have been trying to get legislation in place to protect Ontarians.

During the long period of time that this Legislature was not sitting, I took the opportunity to meet with and

listen to farm groups, conservation authorities, municipalities and local citizens from both rural and urban areas of my riding. I even attended a meeting set up by the former Minister of Agriculture on the Nutrient Management Act.

Do you know what, Minister? The message was always the same: they all have concerns about hog mega-operations moving into eastern Ontario without a nutrient management plan in place that clearly spells out the regulation that will be coming down with Bill 81. My leader, Dalton McGuinty, and the Ontario Liberal Party have asked the minister to see the regulations. But—surprise, surprise—we have been told, “Vote to get Bill 81 passed, and then we will see regulations.” No one will accept that.

Minister, I ask you, would you buy a car without knowing what the options were or how much it would cost you to operate it? We must be sure that our water and environment are properly protected with this legislation. We only have to look at Walkerton to see what kind of mess this government made when it didn't listen. You thought it was more important to balance the budget than to have the proper inspectors in place to protect our environment.

Minister, I must tell you this: our farmers are very concerned that they are being blamed for the environmental problems in this province. They agree that a Nutrient Management Act is needed. But our farmers are already cash-strapped, and they need to know how much it will cost them to conform to the regulations and if there will be the necessary financial resources available to them to comply with these regulations. The government provides assistance to municipalities to upgrade systems to comply with legislation, and we must provide our farmers with some assistance to upgrade these systems.

#### 1850

Many municipalities in my riding have brought in interim bylaws to protect their residents. Section 60 of the Nutrient Management Act takes away the authority of our municipalities to have any input. Although discussion with most groups indicated they were in favour of province-wide standards, they also thought that municipalities should have a say in areas such as minimum distance separations.

There are many areas of the bill that refer to the word “may” rather than “should.” You know, this scares me. When someone tells me they may do something, they also may not.

I would like to refer to a few articles. I receive most of the publications on the farm. I got this newspaper a

couple of weeks ago from the province of Quebec. The Minister of the Environment, Mr Boisclair—I'll read it in French and it could be translated:

« Boisclair hausse le ton face aux porcheries

« André Boisclair, le ministre de l'Environnement du Québec, hausse le ton face aux porcheries. Lors d'un discours prononcé le 13 avril » dernier « devant le Forum jeunesse du Bloc québécois, le ministre a parlé d'une "décision spécifique au secteur porcin" considérant que le Québec a "déjà atteint ses objectifs de croissance". »

Il dit bien qu'il a « atteint ses objectifs ». Est-ce que nous allons accepter maintenant ce qu'ils veulent absolument arrêter de se produire au Québec ?

« Le ministre de l'Environnement faisait allusion à l'objectif de doubler les exportations agricoles qui avait été fixé en 1998 et qui serait réalisé en 2002. Les propos d'André Boisclair pourraient laisser croire à un moratoire sur le secteur porcin. Il n'a cependant pas voulu confirmer la nature exacte des mesures "spécifiques" qui s'abattraient dans le secteur porcin en juin prochain lors du dépôt du nouveau projet de loi. « Le règlement s'annonce à tout le moins beaucoup plus sévère... »

I also have another article that is clear: "It's time to take concrete action and tackle this situation which is a threat to the environment and to public health," he declared in a communiqué." That was the Quebec agriculture critic, Mr David Whissell. He also stated—it's the headline in the paper—that subsidies should be made available to farmers so they can address environmental concerns.

I would just like to tell you that tonight there is a very important hockey game in Montreal, the sixth game of the series between Montreal and Carolina, and tomorrow night the battle of Ontario, the Toronto Maple Leafs and the Ottawa Senators—mind you, Ottawa will win this series. But imagine if the water they used to flood the ice—the ice is flooded a minimum of three times during the game—were taken from a creek or river where there is a hog farm in the vicinity. The ice wouldn't be white; it would be brown. This is why I say it is time that we looked.

When I say there are some omissions in this bill, definitely at no time do we refer to hog farms. It is very important that we touch that section, because in the past we didn't have this problem. We know that we have pork factories moving from Europe to the western part of Ontario. And because of the fact they cannot establish or expand in Quebec, they are coming into eastern Ontario.

Lately I was talking to a gentleman, a big farmer who milked over 200 cows a day. He was telling me that he lived in Quebec for 15 years. He was next door to a hog farm. He said, "Mr Lalonde"—when I got the phone call I thought he was going to blast me because I spoke against hog factories—"you have to do everything you can to stop this. I have lived next door to a hog farm in Quebec. I had to move out because I was going to lose all my cattle because of the polluted river."

Also, there is a major study that was done by the federal government. The Ottawa Citizen, a daily news-

paper, has acquired a copy. They reviewed the whole study, and it came out that the manure from the hogs and the odour from the hog farm are disastrous for health. You could end up having cancer, depression and some health problem besides that which I don't know. The report really stated it all.

There's nothing in this bill at the present time that refers to hog farms. We have to take every possible way to try to have something, an amendment to this bill, that would prevent the mega hog farms from establishing in eastern Ontario or the rest of the province.

Now, Mr Speaker, I would like to give the additional time to my colleague from Essex county.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the member for Essex.

**Mr Bruce Crozier (Essex):** Thank you, Speaker, and notwithstanding my jibe at the beginning, it really is great to see you back, and I think we're all pleased to be back here. We are debating this evening Bill 81, a bill that was introduced to the Legislature way back in June of the year 2001. When Bill 81 was introduced, we recognized that it was a framework for regulations for the spreading of manure and other nutrients and that it was more enabling legislation than it was legislation that is very specific.

I in fact agree with my colleague from Glengarry-Prescott-Russell that we all want to see appropriate legislation put in place that will protect our water and that will have meaningful regulations with regard to the spreading of nutrients on our land in the province of Ontario. But I would, like my colleague, have to comment that we can't support this specific bill until we can be satisfied that the possible regulations to be determined later will be effective in protecting Ontario's water.

Bill 81, as it stands now, is an empty shell. We are being asked to vote on a bill where all the vital issues are to be determined at a later date through regulations set by cabinet. Members and the public deserve to see, review and comment on the government's draft regulations even before voting on this bill. Liberals, farmers, rural residents, municipal leaders, environmentalists, the Environmental Commissioner and the Provincial Auditor have been calling for province-wide rules for years.

After promising this bill in the spring of 2000, this government has now tabled legislation that includes a phase-in period of five years of many of the vital elements. Furthermore, the bill completely relies on standards to be determined some time in the future. If this bill is going to be effective, it must include financial resources. Ontario's cash-strapped farmers will require financial assistance to meet the new rules. After years of cuts, the Ministry of the Environment and the Ministry of Agriculture do not have the staff that is needed to properly inspect and enforce these new rules.

There are additional reasons why we feel that it will be necessary to vote against this bill. First, Liberals put forward a number of amendments to Bill 81 at committee, and all were voted down by the committee's Conservative majority. Our key amendments to the bill



would have removed provisions in the bill that will allow the government to privatize vital nutrient management inspection, administration and training services. As we've seen with so many other government health and safety issues—for example, drinking water and food safety—this government's privatization agenda threatens the health and safety of Ontario's working families. Our amendments would have forced the government to implement regulations to protect our water. Instead, Bill 81 essentially states that the government may introduce such regulations. The standing orders of the Legislature do not allow us to introduce amendments that include spending by the government, but we have asked that the government commit funds and provide assistance to farmers to help them meet these new rules. To this date, we don't have that commitment.

**1900**

Second, the Tories are insisting that we support a bill that's basically just a blank cheque. They've offered to consult with farmers and members of the Legislature when they begin to develop regulations to enforce Bill 81. But how can we vote in favour of a bill without seeing these regulations?

We will be supporting the Tories' plan without knowing a number of key things. For example, what does or does not constitute a nutrient? Is it chemical fertilizers, municipal leaf compost, food manufacturing waste? What can or cannot be spread on fields? What's required as part of the nutrient management plan or strategy? Should there be different standards for different-sized farms? What size? How many different categories? Should small farms be exempt? When should these farms and these categories have to meet the requirements of Bill 81? What kind of storage will be required? How should the storage be built? Where should the storage be built? How much manure can be spread? When can it be spread? What kinds of soils can it be spread on? How far back from waterways must it be? How far away from municipal wells, neighbouring properties and homes? How far back should livestock be kept from waterways and municipal wells, if at all? What training or certification will be required to store and spread nutrients? What will the fees be? How much will the training, certification and permits cost? Who's going to administer and enforce the bill: the Ministry of the Environment, the Ministry of Agriculture, local advisory committees or the private sector?

Bill 81 will allow untreated human waste to be dumped on fields for the next five years. Do we want that? It's very likely that the final report of the Walkerton inquiry may contain some recommendations for managing farm nutrients. We need to see what Justice O'Connor has to say on this important issue.

Just as an example, some of the elements will be determined by cabinet by regulation. In all likelihood, if they're approved under that process, they won't be debated in this Legislature. Bill 81 is meaningless without the regulations. With only one or two minor exceptions, the government has not presented proposed

regulations. But the government has promised to consult with the public. Well, we know that consultation can take many forms. Consultation can be private meetings behind closed doors. Consultations can be public but with only certain invited participants. Do we know whether this will be a broad public consultation? We don't. We're not really sure about key issues that will be determined in the regulations.

There has been interest-group response to this, as my colleague from Glengarry-Prescott-Russell has mentioned. In general, farm organizations have welcomed the bill because it will provide for one set of rules for the entire province. Farmers, though, have been confused with different municipalities having different rules. Uncertainty over new provincial rules has led many farmers to put off investments in new manure storage facilities. Farm groups have also unanimously called for government financial assistance in order for farmers to meet the new nutrient management rules.

Municipalities have also welcomed the bill. They were strongly opposed to an earlier provincial plan to unload all the responsibilities for administering and enforcing the bill on to these municipalities.

There are many unanswered questions. The idea of nutrient management we all accept. What is difficult to accept is a bill that doesn't answer the important questions.

**The Acting Speaker:** Comments and questions?

**M. Gilles Bisson (Timmins-Baie James):** J'aimerais féliciter mes collègues pour les commentaires qu'ils ont faits sur ce projet de loi 81. Je veux souligner que, comme le parti Libéral, le caucus néo-démocrate, sur le principe du bill, est d'accord avec la direction que le gouvernement veut prendre. C'est une question qui est très importante pour nous dans la province de l'Ontario parce que—

*Interruption.*

**Mr Bisson:** Thank you, Speaker.

**The Acting Speaker:** Comments and questions?

**Mr Ted Arnott (Waterloo-Wellington):** I would just like to compliment the member for Glengarry-Prescott-Russell as well as the member for Essex for their contribution to this debate.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I'm pleased tonight to be able to add my comments as well to the ones of my colleagues from Glengarry-Prescott-Russell and Essex.

The members of the Legislature would know that when the bill was introduced some months ago, the members on this side of the House were very anxious for its passage because we heard from our constituents, certainly in my riding. It's a piece of legislation that representatives on municipal councils think is important and certainly members of the farming community think is important. Residents across the riding that I represent understand, particularly after what happened in Walkerton, that these are issues that impact families who may not be living on a farm but who live in rural Ontario and who may have as their water source wells that might be

close to agricultural activity. So we all recognize the importance of this bill.

It certainly has been the position of Dalton McGuinty and Liberals on this side of the Legislature when debating Bill 81 to stress how important it is as well that we have some better understanding of exactly the detail that the regulations will include. The government has engaged in public hearings across the province. I had the opportunity to attend a number of those hearings—or certainly the one in Kemptville; I stand corrected. I appreciate that the members of the public are most interested in ensuring there is appropriate regulation so that our water sources are protected and also so that the agriculture industry will be able to sustain itself. We need to sustain the agriculture industry in Ontario: they feed us.

I thank the members, my colleagues, who I think have made the points so very well, and I encourage the government to pay some heed to the points they've made this evening.

**Mr Frank Klees (Oak Ridges):** I had the privilege of participating in debate on this proposed bill in the last session, and I believe the work that has been done subsequently has been significant. The work of the committee I believe has been diligent, and we appreciate the contribution of members opposite to this debate. We on the government side look forward to this legislation being passed without further delay.

**The Acting Speaker:** The member for Glengarry-Prescott-Russell has two minutes to respond.

**Mr Lalonde:** When I referred to the committee a little while ago, I just hope the government will take into consideration what I brought to their attention. The committee should be formed of people who have knowledge in the agriculture sector, not people from the urban sector who have never attended an agricultural college or anything like that. Even with the agricultural college, if they had graduated, let's say, 15 years ago, we didn't have this problem with hog mega-farms like we have today. So it should be formed of representatives from the rural sector who have the knowledge and also have a large proportion of the agriculture sector within the riding. Also, the municipal rep who I said should be part of that committee should be someone from the rural sector. Otherwise, they will come up with decisions that would definitely affect not only the agricultural people but also the rest of the citizens in the area surrounding where we're talking about mega-farms.

1910

The urban sector, at the present time, doesn't know what's happening when we're talking about mega-farms. Also, at the public meeting I had, I had nine of them. Of the nine, everybody said there's no way the government should go ahead without having the regulations, and I said that in the initial point I brought to your attention. At the present time, regulations are not guaranteed. They refer in the regulations here on page 9: "... kept by the farmer or the other persons that are specified in the regulations for the period of time specified in the regulations...." So really we only refer to "may," "may," "may."

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Arnott:** It's my privilege to rise tonight on behalf of my constituents in Waterloo-Wellington and speak to this very important bill, the proposed Nutrient Management Act.

In the fall sitting of this Legislature, many of my colleagues, in particular the former Minister of Agriculture, Food and Rural Affairs, the Honourable Brian Coburn, and his parliamentary assistants, Doug Galt and Toby Barrett, explained why the government of Ontario introduced this bill. They outlined the benefits it would bring, both in terms of agricultural sustainability and environmental protection.

It is my privilege to add my voice to those of my distinguished predecessors and to act as the forerunner to remarks at third reading by the current Minister of Agriculture and Food, the Honourable Helen Johns. Having followed closely the province-wide consultations that preceded the drafting of this bill, I want to reassure all members of this House that this proposed legislation truly reflects the concerns and hopes of residents of rural Ontario. Municipal officials and leaders, rural residents and environmental groups were all looking to the government of Ontario to provide the leadership required to turn a piecemeal patchwork of bylaws into a clear, consistent and province-wide approach to nutrient management.

Before we could lead, however, we had to be sure where all these people were prepared to go. The province-wide Galt-Barrett public consultations regarding the issues surrounding intensive agriculture operations gave us that direction. They heard 140 oral presentations from delegations representing farm organizations, environmental groups, individuals, municipalities, planners, medical officers of health and provincial stakeholder groups. They received some 200 written submissions, again from individual farmers, farm organizations, municipal officials, environmental organizations, citizens and agribusinesses.

The government also studied other jurisdictions in Canada, the United States and Europe. In September 2000, the Galt-Barrett team joined the Ministers of the Environment, Municipal Affairs and Housing, and Agriculture, Food and Rural Affairs, along with the farm and commodity leaders, the representatives of environmental and rural groups and municipal officials for an intensive day-long meeting. The purpose was to ensure that the ministers most involved with the issues heard first-hand from those most affected.

Time and time again, the message we received was that the time had come for nutrient management legislation, that it was needed, that to be successful any approach to nutrient management would have to be province-wide, based on clearly articulated standards, cost-effective and enforced by the province. That is the approach we as a government took when we drafted this proposed legislation. And, as this House knows, immediately after first reading of this proposed bill, additional input from the public was sought through the Environ-



mental Bill of Rights registry and the standing committee on justice and social policy. As you well know, Mr Speaker, that committee, chaired by the member for Haldimand-Norfolk-Brant, held nine days of public hearings in nine different locations across the province: in Toronto, Caledonia, St Thomas, Chatham, Clinton, Owen Sound, Kemptville, Peterborough and North Bay. Again the public delivered the same message.

Those who took the time to address the standing committee were, in the main, supportive of the proposed bill. They were pleased by the fact that Bill 81 would allow for the creation of local advisory committees. They agreed with the government's intention of developing education, training and certification programs. Above all, they agreed that they wanted to be very involved in the development of standards and regulations under this proposed legislation.

The same committee also went through Bill 81 clause by clause. Twenty motions were brought forward, I understand, and five were passed and accepted by the majority on the committee. The purpose of the proposed legislation is now more clearly articulated as a result of these amendments and reads as follows: "The purpose of this act is to provide for the management of materials containing nutrients in ways that will enhance protection of the natural environment and provide a sustainable future for agricultural operations and rural development."

The proposed Nutrient Management Act reflects the will of the people of Ontario, and it would enable us to draft standards and regulations governing the application of materials containing nutrients on agricultural land. It would not only ensure the continued success of our agri-food industry, but it would also protect the quality of our natural environment.

When it comes to the drafting of the new regulations, that too would be done in consultation with the people most affected by them. We would seek input from farmers and their organizations, from environmental groups, from rural residents and from municipal officials and others. It is, in fact, the minister's intention to begin the dialogue as soon as possible—and I'm pleased she's here in the House for this debate. We intend to go back to the farmers, the environmentalists, the municipalities and the rural residents and develop the standards and regulations that will make this bill effective, in consultation with those who would be most affected by them. We recognize that this proposed legislation would have implications for farmers, municipalities and others, and we are committed to fully understanding these implications before moving forward.

The government of Ontario is confident that the proposed Nutrient Management Act is the right piece of legislation for this province. In short, this legislation is timely and remains needed. It did not pass in the autumn when it should have, so let us pass it now.

**The Acting Speaker:** Comments and questions?

**Mr James J. Bradley (St Catharines):** Farmers often use the term "pig in a poke," and they don't want to buy a pig in a poke. The problem with this particular piece of

legislation is that we're not going to see what the regulations are, and the regulations are going to be exceedingly important with this bill. The government wishes us to accept some general statements which are contained in the bill but does not get into the detail.

In terms of wanting to move this bill quickly, I point out to the people of Ontario that this government deliberately kept this House out of commission—in other words, the House was not sitting—for almost five months. The last time the House sat was mid-December of the year 2001. Here we are in mid-May 2002 before we're sitting again. Can you imagine the uproar in Ottawa if the federal Liberal government had announced it wasn't going to sit from the middle of December until the middle of May? Could you see Ken Shaw lobbying those questions to our friend Mike Duffy, and the National Post and the Toronto Sun and the official opposition in Ottawa? There would be a national uproar. Yet around here it seems to be some kind of joke. Not one story written about it. Only passing reference to it once in a while.

But I want to tell the people of Ontario that the Eves government kept this House out of session for five full months. Now they want to bring in legislation and ram the legislation through in record time. If this government were serious, it would have brought the Legislature back into session in January. Remember, the federal House was back in session in January of this year. Here we are in May, and the House has finally come into session.

We're going to have to have some detailed study of this. We want to see those regulations, I'll tell you, before we want to proceed.

**The Acting Speaker:** I just want to remind those who are making their comments or asking questions that it's quite in order to make remarks about the speech that was made prior.

Comments and questions?

1920

**Mr Pat Hoy (Chatham-Kent Essex):** I am pleased to rise and make some comments on the previous presentation made by the member opposite on Bill 81, the nutrient management bill.

The farmers and the rural residents of Ontario and the municipal leaders, environmentalists, the Environmental Commissioner and the Provincial Auditor have been waiting for province-wide rules for years. We are now on the third Minister of Agriculture to be talking about nutrient management and the fact that it is a priority for this government. But the government seems to be unable to control their own agenda—which of course they have the full right and full privilege to do in this House—of getting this bill passed. This bill was promised in the spring of the year 2000, and people across Ontario in all walks of life, and particularly farmers who are waiting for the guidance that would come from this bill, have waited and waited and they continue to wait.

My colleague across the floor did not mention one of the important aspects that the farming community was looking for in this bill, and a commitment from the

government for, and that is financial resources. Many of the smaller operators—and we have them in every jurisdiction of our rural ridings—and the large ones, will need financial assistance for compliance reasons that the government may put forth. Of course, we don't know what the compliance will be, because we don't have the regulations yet. Therein lies the whole crux of the matter: this Bill 81 is enabling legislation; however, it will be the regulations that will give the guidance and the teeth to ensure that everyone understands what we must do on our farms. Most of our farm operators are fabulous stewards of the land, and they need some financial resources from the government to meet with the compliance that they are waiting so desperately for.

**Mr Bisson:** Monsieur le Président, I'm going to try it one more time, this time without a cellphone.

I was saying earlier that our caucus, the New Democratic caucus, supports generally the direction the government is trying to take by way of this bill. I don't think anybody wants to argue that we need to do all that we can in order to manage this whole issue of being able to make sure that we don't contaminate our ground water. There are parts inside this bill that are certainly a step in the right direction. But there are a number of things that we were hoping to get at the committee level in regard to amendments in order to strengthen this bill.

It's rather unfortunate that we've gotten ourselves in the habit around here as of late that the government introduces bills and is very reluctant to accept any kind of amendments from the opposition parties when ideas are brought forward on how to strengthen the bill and how to make the bill work better for the people we supposedly represent. I think that shows a weakness on the part of the government; I think it says of the government that, quite frankly, it's not as democratic a government as it should be. I would think that the way this place should work, and the way it should work properly, is that the government should accept some of the amendments that are made by the opposition. If they're amendments that have been thought through, that have been researched and have worked well with the bill, and then are able to be incorporated in the bill, they would find, in fact, they would get a lot more support on this side of the House if the government was prepared to do that.

But it is frustrating for critics, and in this particular case Marilyn Churley, our critic, who did an enormous amount of work on this bill and really wanted to get a number of amendments passed and is not satisfied that the amendments that she tried to put forward were taken seriously by the government. You can say anything you want about Marilyn, but the issue of the environment is something that is a passion to her; it's something she has been working on all her life in politics, some 15 or 20 years now in politics.

So I say to the government, yes, a step in the right direction, but a pox on your house for not accepting that the opposition, in this case the New Democratic opposition, could bring forward amendments to this bill that would have made it a lot stronger. I'll get a chance to talk about that in debate a little bit later.

**Mr Dave Levac (Brant):** It's a privilege to do my two minutes on the bill. I would like to use my two minutes to ask some questions. Here are some of the questions that I believe should have been asked by this particular bill that's being set before us. What does and doesn't constitute "nutrient," "chemical fertilizers," "municipal leaf composting" and "manufacturing food wastes"? That isn't answered. What can or cannot be spread on fields? That, again, isn't answered. What is required as part of the nutrient management plan or the strategy? That is not answered. Should there be a different standard for different-size farms? What size? How many different categories? Should small farms be exempt? That's not answered. What kind of storage will be required? How should the storage be built? Where should the storage sheds be built? Who's going to pay for them? Who should test these farms and put them into categories to meet the requirements of Bill 81?

More questions; no answers. How much more manure can be spread on a field? What can be spread? What kind of soils? How far back from waterways, municipal wells, neighbouring properties, homes, independent wells? Those questions are still not being answered.

What training or certification will be required to store or spread nutrients? I relate this to another bill that was brought to this House before about the amusement rides. Only 50% of those inspectors are certified to inspect those rides. Are we going to go through that same problem with this bill?

Those are questions, and I've got many more that need to be answered before we jump holus-bolus into Bill 81.

I appreciate the time, Mr Speaker.

**The Acting Speaker:** The member for Waterloo-Wellington has two minutes to respond.

**Mr Arnott:** I appreciate the comments that have come forward from the opposition side, from the member for St Catharines, the member for Chatham-Kent Essex, the member for Timmins-James Bay and the member for Brant.

The member for St Catharines pointed out that the House has not sat very much this year, and I would agree with him. That is correct. I was ready to come back according to the calendar, as I know he was. I know that he's very busy in his riding, as I am, when the House is not in session. Certainly it is a fact that last fall, before Christmas, there were a number of adjournment motions, both adjournment of the debate and adjournment of the House, coming from the Liberal caucus and the NDP caucus when they had the floor, and for that reason, some important legislation did not pass.

It's frustrating for me as a government member when I know—especially I think in this bill, if I'm not mistaken, the Liberal Party has indicated that they intend to support this bill. That being the case, it seems very strange that we would continue this debate ad nauseam. I hope they would reflect upon that and they would respond to the will of the people, which is to get this bill passed. That's been the message I've heard from the Wellington Federation of Agriculture and I believe the Waterloo Federation of Agriculture in my constituency.



The member for Chatham-Kent Essex talked about the need to proceed and get this bill passed. Again, I agree with him. Let's do that.

The member for Timmins-James Bay talked about the number of amendments that the opposition brings forward at committee. I recall while sitting in opposition when the New Democrats were in power all kinds of amendments being brought forward by opposition parties that were rejected out of hand by the government of the day, which was the Rae government. But I also know that the amendments to this bill that were put forward at committee were given serious consideration by the government before decisions were made on whether or not we would support them. I also know that some of the NDP amendments in fact would have completely changed the fundamental principle of the bill, and for those reasons they were rejected.

The member for Brant asked a number of very specific questions, good questions I would say. I know that he knows that those issues will be discussed further and will be responded to in terms of the regulations that will come forward in this bill.

**The Acting Speaker:** Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** I am pleased to speak to Bill 81, the Nutrient Management Act, although the more time I spend here—and that hasn't been a lot lately, unfortunately—the more I feel like I'm in Alice in Wonderland. There is a real rush to get this bill through, except we broke just before Christmas and haven't been back.

I guess I will never be able to forget the urgency there was in getting Bill 125, the Ontarians with Disabilities Act, through. We crammed all of the hearings into one week. We toured across the province quickly. "It's got to be through before Christmas." It passed third reading before Christmas, and so far the title has been proclaimed—just the title. So I guess it was really urgent to get a title through before Christmas, but the act itself has not been proclaimed and it hasn't changed anything.

So even with the urgency of getting this through, I understand that proclamation can take a year or two.

**Mr Bradley:** The ads had to get out.

**Mr Parsons:** Yes, the ads had to get out. I quite understand that. We had to get them advertised so they could say, "We have passed the bill." But even after it's passed here, it still has to have regulations prepared, and goodness knows when they will be.

Speaking of regulations to this bill, that's the real challenge, I think, because this bill—well, I guess politicians or people in public life have to compromise. They have to come up with a piece of legislation that makes some people happy and others unhappy, but they satisfy as best they can all of the groups.

1930

The problem with this bill is we don't really know what it says and what it's going to do. It is so vague that it is a hollow bill which in effect just gives the government the ability to pass regulations. There's not even a legal requirement to consult on the regulations, although I understand the government's prepared to do that.

**Hon Helen Johns (Minister of Agriculture and Food):** Not without unanimous consent we're not.

**Mr Parsons:** That's a shame then, because we're not talking political games here between the three parties, Minister. We're talking farmers, we're talking safe water, we're talking people of Ontario who are begging for this protection and begging for this action and looking for direction.

**Hon Mrs Johns:** Give us unanimous consent then.

**Mr Parsons:** Well, I'm not going to talk about the political games. I'm going to talk about the bill. The bill has had a great deal of publicity which has caused a great deal of concern throughout Ontario. The people want safe water. They've lost that assurance. They've lost the assurance that a glass of water won't necessarily cause death.

I read, as I'm sure many of you have, the newspaper clippings in the past couple of days of that two-and-a-half-year-old girl who went on a trip for a day with her parents, drank a glass of water in Walkerton and died.

The public wants assurance back that they will have safe water. This bill should do that and it probably will. I'd like to support it, but it depends on what the regulations say as to how we'll get that safe water.

Farmers do not want to pollute. If there's any industry that needs to protect the environment, it's our farmers. But this bill comes at a time when the farm community is being hit brutally hard again financially. Two years ago in my community many, many of the farmers could not get on the land because it rained April, May, June. They could not get their planting done—a catastrophic year. I talked to farmers who had 60% to 70% of their fields they were unable to plant.

Last year a drought, a drought of a type that I never recall, where we had no rain through April, May, June, July and August. In parts of my riding, particularly the Prince Edward county part, they simply had baked-dry fields, hurting them financially. We called upon the minister at that time to recognize that this was indeed a catastrophe for our area for the farmers. No indication, no support.

Farmers who are saying that we need a made-in-Ontario safety net desperately now to survive are now faced with a year where again it is—

**Hon Mrs Johns:** Write your Liberal buddies and ask for the 60%.

**Mr Parsons:** Thank you, Minister of Agriculture, for the heckling.

We have this year another instance of rain, dry the next day, rain again, and farmers who should be on the land planting now can't even think about going on it. The farmers in much of Ontario are in dire straits while at the same time we're seeing the Minister of Agriculture and Rural Affairs—the money's going more to rural affairs than to the farmers.

This bill has massive implications for them in the costs that they will have to expend for storage facilities. It is simply not feasible or possible for them to shoulder all of the costs. I don't think the people of Ontario expect

them to, but they're worried and they're hearing no assurance at all out of this bill that there will in fact be assistance for them on it.

The bill contains that vague wording that appears in virtually all of the bills from this government that leaves the door open to privatization, and along with privatization of inspection invariably come user fees. This isn't a government that is a master at cutting taxes, this is a government that is a master at moving taxes. "We'll get the municipality to collect them, we'll get the private firms to collect them. We can get the same expenditures but we'll look better by transferring them to somewhere else." We're seeing that with the land ambulances, we're seeing it with health units, we're seeing it with so many things. Privatization runs a very real risk of opening the door to user fees that are not sustainable by the farmers.

We want regulations to protect our water, and that is very, very complex. We need to know what they will be. There are some paintings from the 1800s that show cattle standing out in the field, in a stream drinking, and they're very, very beautiful oil paintings. Those days are gone. We know that the cattle pollute when they go into the stream but we need to know how close to it can a farmer let them graze. That's not a simple answer, because you see we don't have the same type of soil everywhere in Ontario, we don't have the same slope, we don't have the same weather conditions. So where you can spread nutrients—and, by the way, we don't even know exactly what these nutrients are; they're just nutrients, which is a nice generic term. We don't exactly know what they intend to allow spread on the fields. The people of Ontario need to know. The people of Ontario want to know.

But, depending on the soil type, depending on the crop that's on it, it profoundly influences how close you can spread nutrients to a particular open stream or how close you can spread them to a well. We have none of that information to make that decision. There is unfortunately no possibility of the opposition's introducing amendments which cause money to be spent. So that puts the onus and the responsibility on the government to come up to the plate and say, "This is what we will do."

As much as the Ontario Liberals would like to introduce amendments that would provide financial support for farmers, because the financial support for farmers hastens the speed with which we can assure clean drinking water, we can't make those amendments, we're simply not permitted to, and so we have a situation of, "Vote on this bill and trust us." But it probably is not a smart move on the part of the people of Ontario to "trust us." There have been too many letdowns in the past, and we need to recognize that without the details, this isn't a bill we can support. In a sense, it's writing a blank cheque to the government, to say, "Do anything you want with the regulations."

One of the problems in Ontario—and I recognize that, because the government side recognized it—is that the voters do not reside in rural Ontario any more. So we've seen the shift; we've seen all the agricultural offices closed even though it was promised they wouldn't. We

have seen the money shifted away from farmers and into the urban area. The pressure now appears to be that we want cheap food, but in far too many cases it's the farms that are subsidizing it, and they can do that for only so long.

So come up to the plate and say, "This is what we will do. This is what the bill will contain. These are the financial provisions we're prepared to put forward. This is the money that will be put into it." Without that, how can we agree with it?

I've talked about a timeline and I've talked about not knowing what nutrients are. One thing I certainly do understand is that this bill will allow raw human sewage to continue to be spread on the fields for the next five years. In rural Ontario the way of life is septic tanks, and they have to be pumped out periodically in order to keep the tile bed clean and operating. But I would suggest that it approaches the irresponsible to say that raw sewage can continue to be spread for the next five years. Surely this is one issue they could have tackled and put in the bill and said it stops when the bill is passed.

This bill can't be supported, because we really don't know what it is, other than the title. It leaves virtually everything of any significance up to the drafters of the regulations after the Minister of Agriculture has threatened to not do consultation with the farmers. But the farmers went into this process accepting the word of the last Minister of Agriculture: "We will consult on the regulations." So they made some appearances at the public meetings, but said to me, "We really want to be at the regulations because that's where the gist of it is."

Now we have the Minister of Agriculture saying, "Unless you play your political games with us, unless we get unanimous consent, we won't consult." It is the farmers in this province who will lose, and I think that's a shame.

**The Acting Speaker:** Comments and questions.

**Hon Brad Clark (Minister of Labour):** I'm a little bit surprised by some of the points that have been raised tonight. First, with the issue of regulations for the bill: correct me if I'm wrong, but every government that has been in this House has passed legislation and then dealt with regulations afterwards. It happens with every Parliament in Canada. This is quite common. It happens all the time. To now have this feigned indignation that somehow we're doing something wrong by passing a bill without talking about regulations ahead of time just really strikes me.

Secondly, the member is talking about consultation, that we haven't done enough consultation. Well, apparently there were two years of consultation, there's been ample consultation, plus a promise that they'll consult on the regulations. So that seems to be another red herring.

Finally, the member was saying, "We want to deal with amendments to the bill." The opposition Liberal Party is saying they want to deal with amendments to the bill. To the people at home who are paying attention to this: the Liberal Party in December rose and asked for unanimous consent to pass the bill without any amend-



ments. Now all of a sudden they want to talk about amendments. If they want to have indignation about something, I can appreciate having indignation, but only when there's merit to it. You can't feign indignation about things that you've already dealt with. This is ridiculous.

1940

The reality is that regulations are passed afterwards all the time. That's what happens. And the minister has agreed that there will be consultation on the regulations. I think that's eminently wise.

Consultation? There has been ample of it.

Finally, I reiterate: you can't sit here and say, "We're not going to pass this bill until we have an opportunity to amend it," when in fact your own members stood in the House and asked for unanimous consent to pass the bill.

**Mrs Dombrowsky:** I am happy to respond to some of the comments made by the Minister of Labour with regard to the regulations and some of the issues on this side of the Legislature.

I would just like to share with you some of the questions that come to me in my riding from people in the farming community and also municipal representatives. The issue they have related to the regulations that will be written after this is law is: "what is it going to cost us? How much are we going to be on the hook for whatever eventually gets unfolded in the regulations?"

Within the farming community, of course, farmers are of the mind that it is possible in regulations that they will be stringently regulated for the safety of the community, and that is appropriate. But there is no indication on the part of this government or the minister that there is going to be any plan in place to assist them with any of the financial burden that may come to them as a result of the regulations.

From my perspective, I think that is a very valid issue that the farmers have. I would certainly be comforted to know that the government has a commitment that, whatever does unfold in regulation, the farming community will be assisted by the government to ensure that they're able to adhere to regulation.

The other group that I hear from in my riding are municipalities that at the present time, and for many months of course, have had to deal with this. They have the same kind of concern that the farmers have, that somehow within the regulations that will unfold after this is law, after it is a fact that they must ensure enforcement, that somehow they're going to have to expend some of their very limited resources in the area of enforcement and so on. So municipalities have said, "What assurance do we have from the government that we're not going to be expected to hire and train enforcement officers to deal with this new regulation?"

**Hon Norman W. Sterling (Minister of Transportation):** I represent an urban area as well as a rural area and I know this piece of legislation is of great concern to the farming community. But I must say that when you put together the financial issues which the farming community has today, this is minuscule compared to the

problem they are having with crop subsidies, which the federal Liberal government continues to refuse to take responsibility for. That problem relates to an international problem, as you know, with regard to the United States government bringing forward massive subsidies for their farmers, and our federal government sits back and does nothing.

I'll tell you this: our government would be pleased to step up to the plate time and time again on this bill if the federal government will do their part with regard to the bigger problem with regard to crops and the ability of our farmers to continue farming into the future. This crop problem is an international problem. It is not made in Ontario. If you talk to any of your farmers, they will tell you that. They will tell you that straight to your face.

They came to my office, they came to other MPPs' offices and said, "We're here because your government has come to our aid in the past," which we did last year—big time—\$90 million worth. We embarrassed the feds into stepping up at that time. The feds must step up and save our farming community. If they step up big enough, we might have enough resources to deal with this problem.

The other problem is a very technical problem. We need to, on each regulation, go to the farming community and consult with them as we make these regulations in harmony with what they can do, and we want to do that. The farming community understands this.

**Mr Bradley:** I thought the speech was rather interesting on this bill. I heard the member across, now the Minister of Transportation, talk about outrage in the opposition. The outrage is coming from the likes of the people of Walkerton, who are outraged at what they had to put up with as a result of contamination of their water supply. People right across this province are now very worried that if we don't have the kind of legislation, the kind of regulations, that are going to be effective, we're not going to be able to deal with this well.

I know the minister would like to be able to list this as a bill passed and pretend they're doing something serious about this issue. But until such time as you see the regulations—and I agree that we have to consult on the regulations. I'm all for that. What I'd like to see in this bill are the proposed regulations that you have, presented to the House before the bill. If you wanted to consult further, you could consult further. But you're asking the opposition and the people of this province to buy into a bill, and we don't see the regulations, which are the details; and in this kind of bill they're extremely important.

I can tell you as well that when you have a provision for untreated human sewage to be spread over the farmland of this province for the next five years, that's a recipe for disaster in this province.

I would also like to see the Ministry of the Environment play the meaningful role that it should play. I know the minister is busy with energy and busy as House leader, but I'm going to tell you that I think the Ministry of the Environment should play a very primary role in the

supervision of this piece of legislation because it is the regulatory ministry. It is detached. It does not have a conflict of interest. So I think the Ministry of the Environment has to play a significant role, and I'm glad the minister is with us this evening in his capacity as House leader to ensure that this indeed will happen.

**Mr Bisson:** Again, I just want to come back to one of the points made by Marilyn Churley, our critic on this particular bill, and that is the issue that was raised by the speaker just before me. The Liberals argued, and we argued to an extent, that we would like to be able to see the regulations. The government says, "No, we're not prepared to do that," and I hear the argument on the other side, "When do we ever pass legislation with the regulations in the House?"

We had proposed one very small amendment to the bill. We said, "OK, we understand these are technical amendments. We understand we might have to work on some of them, but we'd like to get a sense of what some of them are. Table whatever ones you've got now and we'll look at them. At least we'll have a chance to get our heads around them and take a look at what needs to be done." But we said that, short of that, then accept only one amendment that would force the government to post those amendments through the Environmental Bill of Rights on the registry. That way, people would be able to see them coming.

The Minister of Transportation says these are very technical amendments. You're right. They are very technical amendments. That's the reason why we in the New Democratic caucus argue that there at least has to be some mechanism so that those people out there in the community in Ontario who know far more about these issues than maybe you or I, sir, have an opportunity to know when the amendments are being brought forward by the government, so that they're posted through the Environmental Bill of Rights legislation, so that people can find out about them, take a look at them and then make comment through the Environmental Bill of Rights in order to make sure that in fact those amendments do what we would want them to do.

So I understand the government saying they're technical, but at least you could have accepted this one amendment we put forward that would have obligated the government to enact part of the EBR on this particular bill so that, yes indeed, when those amendments come forward, people can find out about them, and then there's some ability to do something about them through the EBR legislation.

**The Acting Speaker:** The member for Prince Edward-Hastings has two minutes to respond.

**Mr Parsons:** I'd like to thank the members for Stoney Creek, Hastings-Frontenac-Lennox and Addington, Lanark-Carleton, St Catharines, and Timmins-James Bay for their comments, some of which I appreciated.

I do think, though, that we need to speak to the fact that it is always easy to blame someone else. Goodness, I caught on to that very quickly when I first got here. It was always someone else's fault. But the fact is that the

farmers want, and there has been considerable talk about, a made-in-Ontario safety net. They are citizens of this province. What do we have a Minister of Agriculture for if she's not going to stand up and fight for our farmers and do something to solve it?

**1950**

Interestingly, it's easy to blame the feds. Ontario does the matching with Ottawa exactly what they're required to do—the minimum, no more. They've said the minimum is the maximum. If we look at the province to the east of us, Quebec puts far more into farming, recognizing that it is the second-largest industry.

**Hon Mrs Johns:** We put \$20 million more in than the feds did.

**Mr Parsons:** Since you weren't present at any of the consultations, tonight is kind of a mini-consultation for you. Hear what the people of Ontario told us to tell you. What the people of Ontario are saying, Minister, is they believe the provincial government has a responsibility to serve them by giving them an idea of what it will cost, by listening to them on the regulations for the Nutrient Management Act and by putting in place the made-in-Ontario safety net that you have talked about, that you have promised, that you've got all kinds of media on.

The farmers pay taxes to Ontario. You've set up the system so that they pay taxes. They're not the auto industry, but they are an industry we need to value and protect with more than just lip service by actually giving them some value for their dollar. They're taxpayers. They deserve to be represented in this House, and I guess this side has to do it.

**The Acting Speaker:** Order. I just want to remind those members—I'll direct this to them, and they know who they are. Yes, it may have been five months since you were here, and maybe you've forgotten the rules. Each member gets a time to debate. It goes around in order. When your turn comes, please feel free to get my attention and stand up and do it. In the meantime, our rules don't allow for talking, speaking out, yelling, screeching, hollering or anything like that. If there's anything else you need to know about the rules, just come up and see me while somebody's speaking and I'll explain them to you. Other than that, I might have to take other measures.

I'd like to recognize the member for Timmins-James Bay for further debate.

**Mr Bisson:** Thank you very much, Mr Speaker. I want to put a couple of things on the record, because I think it's important at this point in the bill, second reading, that those particular comments be made.

At the outset, I just want to say the work Marilyn Churley, our critic, has done on this has been absolutely phenomenal. She is an advocate of the environment. Like her politics or dislike her politics, I think everybody understands that when Marilyn speaks on the environment it's something that is a passion for her, as it is for other members in this Legislature. I tip my hat for the work she's done on this.

I only got the chance to sit on this committee a couple of times, so I'm not an expert. But there were a couple of



things that struck me when presenters were before this committee. The two of them have to do with what's already been spoken about in the Legislature to an extent, and that's the issue of the Ontario Federation of—I'm thinking MNR now—the OFA, I should say, the Ontario—

**Hon Mrs Johns:** Federation of Agriculture.

**Mr Bisson:**—Federation of Agriculture. I don't know why, but I was meeting with anglers and hunters all weekend, and I've got that on my brain tonight.

Anyway, when they came forward they had a couple of issues that they agreed with us on, and they thought there should be some sort of amendment. One of the issues is the delegation of the registry to the private sector. It's the feeling of the New Democratic Party that the process you have regarding the work that is going to be done in this particular bill, when it comes to the operating of the registry, of the management plans that will be put forward to deal with this issue—that work would be best left to the Ministry of Agriculture and Food.

As New Democrats, we, along with a number of people in the farm community, do not believe that responsibility should be delegated outside the Ministry of Agriculture and Food for a number of reasons. One of them is ideological. I would agree and understand if anybody says afterwards that it's ideology. Yes, I believe the public sector should be doing those particular jobs. Why? Because at the end of the day, they are accountable. They are employees of the province of Ontario. They answer to ministers, ministers answer to critics and we answer to the public in turn. By keeping the registry in the hands of the Ministry of Agriculture and Food, I believe it's going to be a much more transparent process.

So I would argue, along with Marilyn Churley, that the government should have accepted an amendment that doesn't allow you to delegate away, as in the delegation clause under section 55 of the bill, the responsibility for the operation of the registry. We don't believe it makes for a very transparent process in the long run. Will the people doing this be good-hearted people who want to do the right thing? I'm sure. But that's not the issue. The issue is, do we, as a province and as a Legislature, believe that work is best done by people who work directly for us in the government, who are accountable, or do we believe that we can actually privatize those types of services and still get the same type of transparency? I would argue not.

I'll just give you a good example, a little sidebar. In the privatization of Hydro—some of you may know this, some may not—it used to be that all electrical work that was done in the province—and this is related to this bill, Speaker, so just hear me out for a second—if you called an electrician to do work, you used to call the Ontario Hydro inspector. The inspector was an employee of Ontario Hydro. Basically, he came over and did the inspection and everything was fine. We have now privatized that particular service, which is the inspection stuff, and it's gone over to a safety association that does all the

inspections. I can tell you that the private sector, the contractors who have to deal with that particular agency, are up in arms. One of the issues is that it is not transparent. The argument I'm getting from contractors in my riding is that once they've moved this inspection department into the quasi-private sector, they're not accountable to anybody. They're trying to get answers, for example, as to why it is that this particular agency or this private sector operator is now charging all kinds of fees for things that the contractors never had to pay for before.

For example, if you called an electrician to come and fix lights inside this chamber prior to this privatization, the only bill you got was for the work done by the electrician, if it was a contractor coming in. Under the current regime, because it has been privatized, they have to apply for a permit for each fixture they go and fix, for every plug they go and fix. It's an issue where this new agency is getting all kinds of money and all kinds of permits and all kinds of inspections on things that never were inspected before and quite frankly shouldn't be, because it's an ongoing maintenance type of work they do.

Our argument on the registry issue, in coming back to this bill, is that like that particular agency, it is not transparent. There is no accountability. The electrical contractors are trying to get answers as to why the fees are going up, why there is only an inspector available once a week in communities like Kapuskasing or Moonbeam or wherever. They're not able to get answers because they say, quite frankly, they don't need to answer because they're not accountable to anybody but the agency itself. That has really frustrated the private sector contractors in my riding. All I'm saying in relation to this bill is that I don't want to privatize the registry because it's the same argument again. Once you go there, it is not accountable, it is not transparent in the way the public sector is. We moved forward an amendment that basically would strike section 55 of the bill and the way that it now reads so it would be left in the public sector. I wish the government would have accepted that.

The other interesting thing is the delegation of these responsibilities. There is a clause in the bill under section 56, a non-liability clause. I can't think of the term because I don't have the bill in front of me, but what it does is make the government not liable for mistakes that may be done by the people who run the registry. That comes back to the issue of transparency and trust in government. I don't believe it serves us well as legislators to do that because it means, in this case, once we've privatized the registry and it's in the hands of whatever private operator to run, and they make a mistake, basically there's no liability. I don't think that's right and post-Walkerton I don't think that's the kind of signal we want to send out. Arguably, they can bring the private sector registrar to court in order to try to get some kind of settlement, but in the end the province of Ontario absolves itself from any responsibility under section 56 of the bill. I believe that's wrong.

The other issue, and I spoke to it very quickly, is the issue of the regulations. We understand the argument the

government puts forward that we need to develop regulations with time, and far after this bill is done, we'll be changing regulations on an as-needed basis as we develop the understanding and the technologies to deal with nutrient management on land. But we argued that for that very reason this bill should be subject to the Environmental Bill of Rights, so that any new regulations that come forward would be posted on the EBR and then the public would have an opportunity to see them, people who know more about this than you and I as members, and would be able to make good comment, to say, "This is doable and this is not doable. This is dangerous and this is not dangerous."

The reason for doing that is very simple: we need to have those checks and balances in our system. Imagine a government—and maybe the Tories would like this—with no opposition in the House. That doesn't make for good government and it doesn't make for good bills. It's the same thing when it comes to regulation. We want to make sure that the public is aware of regulations as they come through.

2000

Now, of course, the regulations will be gazetted. The argument that the government will make will be, "Don't worry, the regulations will be gazetted, and therefore we don't need to make them subject to the EBR." The problem is, yes, we'll find out when the regulations are done, because they will be gazetted, but it'll be after the regulation is written. So we're arguing, rather than going to that stage, because it'll be hard to undo a regulation when it's done, as the regulation is drafted, it should be put out for public comment through the EBR so the public has an opportunity to see it, to look at it and decide if it makes sense or not and make comments. If there is a real flashpoint issue, at least the public will know and have an ability to do something about it.

As I said at the very beginning of this debate, generally we, the New Democrats, support the direction that the government wants to take on this. We commend the government for the process. It was not a bad process sending this bill out after first reading. I believe in giving the government credit where credit is due. We went sent this bill out between first and second reading. I think it was a great idea. As I said, I didn't sit on that committee for a long time, but I appreciated the opportunity to do so.

The only criticism I have at this point is I wish that we're able to find ways, when we do these types of bills, to accept amendments from the opposition parties because, as you do as government members, we put a lot of time and effort into these bills. So we need to have a certain understanding. I would hope, that at least when amendments are brought forward that do make some sense, that the government would accept them. You may accept our regulation on the privatization issue, because that's an ideological issue for the government; I understand that. I don't like it, but I'm prepared to take defeat on that one. But I have a real problem taking defeat on something like not using the EBR as a mechanism to allow the public to know what the regulations will be all

about before they actually become law. So for us in the opposition, we sit back and say it is a very, very frustrating process when you put all this effort into making what should be a better bill, and then the government stymies the process by not accepting your particular amendments.

With that, I again want to say to my colleague Marilyn Churley who, I know, would like to be here tonight—she's already spoken at first reading of this and I know is watching this debate with interest—that I appreciate the work that she has done on that. She's done a phenomenal job, along with Howard Hampton, our leader, who also worked on this quite a bit. We only wish that the government had accepted some of our amendments, because we think at the end they would have made it a much better bill.

**The Acting Speaker:** Comments and questions?

**Mr Bradley:** The member mentioned something that I think members of the House should know about, and that is the door being open to privatization. Responding directly to his speech, he made reference to the privatization that's taking place in regard to electrical inspection in the province.

I too have heard from small business people. The government purports to be a friend of small business. I can tell you that the member is right: the inspection that's taking place is a disaster. It costs a lot more money for the electrical contractors and individual small business people in this province, and it takes a longer period of time. You have privatized it. You've pushed it out of the government domain, and they're far worse off. Everybody's worse off: the consumer, the public who wants to be safe out there and, indeed, the small business person as well.

Something else: you said you were an umpire at one time, Mr Speaker. So you must be annoyed—

**Interjection:** He still is.

**Mr Bradley:** He still is an umpire. But I think you're also a hockey fan. I know that you would be a hockey fan as well. I simply wanted to put on record today my annoyance with hockey announcers who use the term "cycling down low." Why don't they simply say they're "skating in deep"? Where they got this was the American announcers and basketball announcers, and now they've transferred it to our national sport. So you hear even Cole and the Canadian types now saying they're "cycling down low." Come on, that's skating in deep. The Minister of the Environment knows that. You as a Speaker would know that, as a follower of hockey would know that. I simply wanted to put that on record this evening, because I sense in this House a consensus developing around the fact that we should be notifying hockey announcers we don't like "cycling down low"; we want "skating in deep," and not the east-west-north-south game or all these new nonsensical terms.

**The Acting Speaker:** Comments and questions? The member for Timmins-James Bay has two minutes to respond.

**Mr Bisson:** I don't know about cycling down low, but I hear the Montreal Canadiens are losing, and I'm very



upset. I just want the member to know that. No, don't tell me it's six-nothing. Now I'm even more upset than I was before.

Very quickly to Mr Bradley, just to comment on what's happened on the electrical inspection issue, it has, quite frankly, been quite the opposite to what the government had purported. It's now costing them far more to get permits, so it's more expensive for the end-users and more expensive for the contractors, and we're getting worse service. I think it's another one of those arguments where the private sector does not necessarily do it best each and every time. The private sector in this case is actually doing a lot worse than what it did under the old Ontario Hydro.

But just one story, from talking to an electrical contractor. This February, there was a wind that damaged a service in a small community just north of Kapuskasing—I think it might have been somewhere north of Val Rita; I'm not sure exactly where. The issue is that the mast was knocked down. They called the electrician to come over and fix it. They had to call the Northern Ontario Wires people to come and disconnect the hydro. Not a problem. The guy goes in three hours later and fixes it up. It's 30 below outside. He calls to get electrical inspection to get the power back on. They can't come in until Tuesday, five days later. This woman went without power for five days because they couldn't get an inspector into the community in time.

You talk about better service? "Oh yeah, they're doing better with less," they say. They're just doing less and they're doing a hell of a lot worse, I would argue. So to the Minister of Energy, I think you should take a good look at that.

Again, I would just say, on the issue of the privatization of the registries, it's much the same argument. There's no transparency, there's no accountability and, at the end of the day, I'm not convinced you're ending up any better off than we would be if we left that responsibility with the Ministry of Agriculture and Food.

With that, Mr Speaker, I know there are other members who want to get up and debate this bill, in very long detail. I look forward to that debate and I'll be making comments as we do that.

**The Acting Speaker:** Further debate?

Mr Coburn has moved second reading of Bill 81. Is it the pleasure of the House the motion carry? It is carried.

Shall the bill be referred to third reading? Agreed?

All those in favour say "aye."

All those opposed say "nay."

Which committee will the bill be referred to? It has to be unanimous for third reading, so the committee?

**Hon Mrs Johns:** If I may say, Mr Speaker, I think it should go to third reading, but with general government. I think it has been discussed enough.

**The Acting Speaker:** So referred.

The Chair recognizes the Minister of Nearly Everything and House Leader Too.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move adjournment of the House, Mr Speaker.

**The Acting Speaker:** Is it the pleasure of the House the motion carry? It is carried.

This House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 2008.*

## CONTENTS

Monday 13 May 2002

### SECOND READINGS

#### Nutrient Management Act, 2001,

Bill 81, <i>Mr Coburn</i>	
Mr Lalonde .....	39, 42
Mr Crozier .....	40
Mr Bisson .....	41, 44, 48, 48, 50
Mr Arnott .....	41, 42, 44
Mrs Dombrowsky .....	41, 47
Mr Klees .....	42
Mr Bradley .....	43, 47, 50
Mr Hoy .....	43
Mr Levac .....	44
Mr Parsons .....	45, 48
Mr Clark .....	46
Mr Sterling .....	47
Agreed to .....	51

## TABLE DES MATIÈRES

Lundi 13 mai 2002

### DEUXIÈME LECTURE

#### Loi de 2001 sur la gestion

##### des éléments nutritifs,

##### projet de loi 81, *M. Coburn*

M. Lalonde .....	39
M. Bisson .....	41
Adoptée .....	51



CA2 ON  
X1  
-023

Government  
Publications



No. 3A

N° 3A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 14 May 2002**

**Mardi 14 mai 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### POST-SECONDARY EDUCATION INFRASTRUCTURE

**Mrs Marie Bountrogianni (Hamilton Mountain):** Thousands of Ontario high school graduates have a very serious problem: they're waiting for acceptance letters while the critically underfunded universities and colleges they have applied to are waiting to hear from a government that has delivered nothing but vague promises.

Our colleges and universities are hanging out No Vacancy signs for this coming school year. This is as serious as it can get. Ontario parents are apprehensive about this government's ability to handle enrolment pressures. Due to demographics and fast-tracking of stressed-out students, enrolment projections in Ontario have been shattered. Applications to universities and colleges are up, but the real challenge comes in 2003 with the double cohort. Because of this government's bungling, students will pay the price. An estimated 20,000 qualified students—that's one in four who apply—will be turned away in 2003 because our schools do not have the money to accommodate them: to hire professors, build classrooms, laboratories and residences, and stock libraries.

This government has repeatedly promised to provide adequate space in colleges and universities for every qualified student, including the double cohort graduates, but they have done nothing to back up that promise. Our neglected post-secondary system has a lot of catch-up to do. Decades of underfunding by this government have left our institutions with the largest class sizes, the second-highest tuition and the smallest per-capita operating grants in the country. Time has run out. The future of thousands of Ontario students depends on the Premier acting now. It's time to take post-secondary education seriously and support Ontario's future by supporting Ontario's students.

#### ST MARYS MUNICIPAL ADMINISTRATION

**Mr Bert Johnson (Perth-Middlesex):** I rise to congratulate the council and staff of the town of St Marys on 10 years of no tax increases. This is a tribute to the hard

work of the St Marys council under the visionary leadership of Mayor Jamie Hahn.

Several weeks ago, council approved the 2002 budget that included increases in capital spending but no increases in property taxes. Mayor Hahn, who has also become known as Mr Zero, was quoted as saying he refused to dig deeper into the pockets of taxpayers.

It's also important to note that this milestone could not have been achieved without the co-operation and support of municipal staff. I commend St Marys' chief administrative officer, James Timlin, and the rest of the municipal staff for providing exemplary municipal administration.

St Marys is also benefiting from its fiscal responsibility and efficient administration. Last week, St Marys announced that they have issued over \$4 million worth of building permits and that they could get as high as \$20 million this year. Furthermore, St Marys has the highest percentage increase in population growth in Perth county over the past several years, according to recent numbers from Stats Canada.

I would encourage all members of this Legislature to visit St Marys and the Canadian Baseball Hall of Fame. Drop in to their beautiful stone municipal building and congratulate them on being one of the most efficient municipal governments in the province.

#### ASSISTANCE TO FARMERS

**Mr Steve Peters (Elgin-Middlesex-London):** Yesterday, President Bush signed a new farm bill, described by the Wall Street Journal as one of the porkiest in history. Over the next 10 years, \$190 billion will be doled out to US farmers, an 80% increase.

Our farmers are already facing insurmountable odds in the global marketplace. With this hike the situation has hit catastrophic heights.

Farmers do not have the time to wait for WTO rulings. They need trade injury payments now. All your well-meaning words are meaningless if this government sits by while this industry dies.

Your throne speech called for an agricultural round table. Fine window dressing, but unbelievably there was no mention of money or reference to this long-awaited made-in-Ontario safety net program.

When asked if Ontario planned to step up to the bar like the Quebec government does, the new minister's constituency assistant, Ken Kelly, was quoted in the Valley Farmers Forum as saying, "You're mixing apples

with oranges." That's real nice. Meanwhile, Ministers of Agriculture in Ontario come and go like temps in a pool of office workers caught in a revolving door.

I'm calling on this government today to immediately and unilaterally provide payment to our farmers. The precedent was set in 1998 with the hog crisis, and you can do it again today, Minister.

Minister, waiting for the feds to act, I've got to tell you, is like waiting for hell to freeze over. Isn't it about time you took the bull by the horns? Show some leadership and save the farmers of Ontario from destruction. Act now.

### INVESTMENTS IN NORTHUMBERLAND

**Mr Doug Galt (Northumberland):** I rise in the House today to commend the investment made by our government in the county of Northumberland.

Last Friday I had the opportunity to announce two SuperBuild sports, culture and tourism partnership funding projects in my riding of Northumberland. The municipality of Trent Hills will receive almost a half-million dollars for a new pedestrian bridge over the Trent-Severn waterway to connect Ferris Provincial Park with the Trans Canada Trail. The money will also be used to help build a new 60-slip public marina in the village of Hastings and to redesign the entrance to the village of Warkworth.

In 1999, the Ontario Ministry of Agriculture, Food and Rural Affairs carried out a pilot project in Campbellford on business expansion and retention. This project provided the community with a focus on tourism that was instrumental in the SuperBuild application. Similarly, the rural job strategy fund assisted the village of Hastings in planning for the marina.

The residents of Port Hope will also benefit from a SuperBuild initiative. The Capitol Theatre renovation project will receive in excess of one-half million dollars to renovate and expand the theatre and nearby Stevenson block. These renovations will ensure that Port Hope has a healthy, viable cultural centre for years to come. It is important that governments at all levels support worthwhile projects, particularly in small-town Ontario.

I applaud the efforts of both the local organizers and the government employees who helped make these projects a success.

### WELFARE REFORM

**Mr Michael Gravelle (Thunder Bay-Superior North):** For the past year I've been calling on the Ontario government to recognize that their punitive welfare policies were threatening the health and well-being of thousands of people across this province as these policies forced many vulnerable people deeper into poverty and despair. No story could better illustrate the horrible reality of that concern than the tragic circumstances that led to the death of Kimberly Rogers this past summer. Ms Rogers, an eight-months-pregnant woman living under

house arrest, died in a sweltering Sudbury apartment as a result of a welfare fraud conviction and the government's determination to impose a lifetime ban on future assistance for those in her position.

Before her death, Ms Rogers bravely began a charter challenge of that policy, one that we believe needs to be carried forward.

While no one among us should condone welfare fraud, it is vitally important that the government recognize and care about the situation it leaves people in when it decides to impose its draconian lifetime ban. After her death we asked the minister to at least make an attempt to identify how many others may be in a similar position to Ms Rogers. They made no attempt whatsoever to do so.

What is abundantly and sadly clear is that the government's priority is not to truly help people move from welfare to work. Indeed it would appear that their own goal is to kick as many people off the system as possible, regardless of their personal circumstances.

Ms Rogers's death was truly tragic and should never have happened. With the coroner's inquest set to begin this fall, I once again call on the government to review their welfare policy via a social audit, so that we can at least prevent further tragedies from occurring. Surely that's the least they can do.

1340

### LONG-TERM-CARE FUNDING

**Mr David Christopherson (Hamilton West):** I rise today to thank the staff and residents of Shalom Village and Queens Garden Retirement Home in my hometown of Hamilton for collecting hundreds of signatures from friends and family members of residents in the more than 525 long-term-care facilities across Ontario. I'm going to give these hundreds of cards to Travis, who is going to take that over to the Minister of Health for me.

What the cards say and what Ontarians are saying to this government is that the over 60,000 Ontarians living in long-term-care facilities are older, frailer and sicker and require more care than ever before: 95% require assistance to get dressed; 94% require some assistance to eat; 63% suffer from dementia; 39% are aggressive; 56% have circulatory disease; 59% have musculoskeletal disabilities.

Government funding has not kept pace with this increased resident need. In fact, the current funding only allows four minutes to assist with getting up, washed, dressed and to the dining room; 10 minutes for assistance with eating; 15 minutes of programming per day; and one bath a week. You've got hundreds of millions of dollars to give in corporate tax cuts and not a penny for our seniors and disabled citizens who need help.

### DURHAM REGION COMMUNITY CARE

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute and respect to Durham Region Community Care on the occasion of their 25th anniversary.



While Community Care is fortunate in having outstanding staff, it's the volunteers who are the heart and soul of this organization. I'm referring to dedicated people like Chuck Brinkman, Mavis Brodie, Marlene Blain, Marilyn Wallace, Helen Nesbitt, Cameron Crawford, Mary Olaisen, Rika Wygerde and Carol Morrow, who have contributed more than 10 years of service to Scugog Community Care. They are among the volunteers being recognized at a reception tomorrow in Scugog.

Last week I was pleased to attend the 25th anniversary celebration in Clarington. Volunteers with over 20 years of service in Clarington included Enid Austin, Doreen Barrie, Muriel Burgess, Ron Burgess, Marina Canrinus, Marjorie Couch, Isabel Cox, Marilyn Dow, Marion Hoar, Joanne James, Pat Kidd, Betty McGregor, Betty McLenon, Anna Strike, Marg Tippins, Madlyn Wilcox, Alyce Yeo and Keith Yeo, and the list goes on.

Most importantly, Community Care serves 6,000 clients in the Durham region through the efforts of 2,100 volunteers and simply 85 staff. Most importantly, Community Care helps those who are ill or disabled to remain in our communities, close to their families and friends and their support systems.

I'd like to congratulate Community Care and its staff, and especially the volunteers, for their 25 years of dedicated service to the constituents in my riding of Durham, and I would like the House to recognize that today.

#### PREMIER'S ATTENDANCE

**Mr George Smitherman (Toronto Centre-Rosedale):** Ernie Eves and Mike Harris must be separated at birth. Both of them ignored warnings and made cuts that led to Walkerton. Both of them want to give Bay Street huge tax cuts at the expense of health care and education. Both of them want to support a handout to private schools. They also both love to skip work.

Mike Harris was more likely to be found at the golf course than at his desk, and we've all heard the stories about Ernie. Ernie is always late for cabinet. Ernie likes to skip caucus. Ernie skipped work so he wouldn't lose his table at Bigliardi's—Snobelen said so. I'm no doctor, but it sounds to me like Ernie Eves has an allergy to work. I put forward a bill that would help people like Ernie with their allergies. It was called the Executive Council Amendment Act. I'm sure the government members now regret voting against this bill. If they had passed it, it might have helped Ernie with his allergy to attending caucus. But instead, the Premier's allergy was acting up today. He snubbed them.

My bill was a quick remedy for attendance allergies. If a minister or Premier doesn't attend 60% of the question periods held during the session, they get docked \$100 for every session they missed. Now, that's the kind of cure Ernie Eves can understand, because we all know that he likes financial incentives. If your attendance allergy acts up, it punishes the greed gland and conditions the member into better attendance. Maybe our absentee Premier should get his allergy checked out.

#### HEALTH CARE INVESTMENTS

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** As MPP for Barrie-Simcoe-Bradford, I am once again pleased to sponsor on Saturday, June 8, at the Royal Canadian Legion in Barrie, a pancake breakfast in support of women's cancer research, treatment and prevention at the Royal Victoria Hospital.

I'm also very proud of the health care investments in my riding. To mention a few: the new Royal Victoria Hospital MRI diagnostic equipment; a kidney dialysis centre; a women's imaging centre; the expansion of chemotherapy services; and long-term-care beds in such projects as Victoria Village, Grove Park Home, Wood Park Home and the IOOF.

RVH officials also tell me they are pleased with the progress of a regional cancer care clinic and the commitment made by Minister Clement. Also, RVH officials are pleased with the progress of the RVH expansion.

I also want to congratulate Royal Victoria Hospital and the doctor recruitment task force for their success in attracting physicians and the awards they have recently received for their efforts.

I will continue to work hard to bring the best health care services to my riding.

#### VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, we have seated in the Speaker's gallery, and today I'm very pleased to welcome to our Legislative Assembly, the Honourable Tony Whitford, Speaker of the Legislative Assembly of the Northwest Territories, and David Hamilton, his clerk. Please join me in welcoming our special guests.

#### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** I would also ask all the members to join me in welcoming to the 37th Parliament the legislative pages:

Kelly Berthelot, Dufferin-Peel-Wellington-Grey; David Bigg, London West; Emily Carter, Cambridge; Danielle D'Ignazio, Hamilton Mountain; Sebastian Dalgarno, Huron-Bruce; Ian Delves, Barrie-Simcoe-Bradford; Nicolas DesForges, Ottawa-Vanier; Emmett Fraser, Ancaster-Dundas-Flamborough-Aldershot; Richard Gong, Oak Ridges; Vanessa Hazelwood, Timmins-James Bay; Melyssa Kerr, Prince Edward-Hastings; Marissa Leadbeater, Simcoe North; Emma Lehmberg, Thunder Bay-Atikokan; Rachael McKay, Scarborough East; Katie Millan, Kingston and the Islands; Katie Olthuis, Sault Ste Marie; Douglas Sarro, York South-Weston; Jean-Alexandre Sauvé, Windsor-St Clair; Jalpa Shah, Brampton West-Mississauga; Naguib Shariff, Beaches-East York; Travis Weagant, Elgin-Middlesex-London; and Daniel Webster, Willowdale.

Please join me in welcoming our new pages.

## WEARING OF HOCKEY JERSEYS

**Hon Norman W. Sterling (Minister of Transportation):** Mr Speaker, on a point of order: members of the Legislature know that I am rarely partisan in this place. As I represent the riding of Lanark-Carleton, the home of the Ottawa Senators, and was at their last couple of hockey games where they actually defeated their opponents, and as tonight we are celebrating the battle of Ontario, I want you to consider that I be allowed to wear this very fine sweater. I ask for unanimous consent that I wear this sweater and that the MPP who represents the Air Canada Centre, the home of the Toronto Maple Leafs, also be allowed to wear the sweater of the Toronto Maple Leafs, as a show of our support for both of these fine hockey teams.

**Mr Gilles Bisson (Timmins-James Bay):** Mr Speaker, on the same point of order: I have nothing to wear because my team has been beaten. Montreal is out.

**Mr George Smitherman (Toronto Centre-Rosedale):** Mr Speaker, on the same point of order: As the MPP who has the honour of representing the Toronto Maple Leafs, Maple Leaf Gardens and the Air Canada Centre, I don't need any tacky displays like this to demonstrate my strong and loyal support for the Toronto Maple Leafs, and I think this display is beneath that minister in this House.

*Interjections.*

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** On a point of order, Mr Speaker: I just wanted to make the point: a famous song, The Maple Leafs for Ever.

**The Speaker (Hon Gary Carr):** Actually, that jersey, I think, would have fit the minister better than the present jersey he's wearing.

Is there unanimous consent? I'm afraid I heard some noes.

1350

## INTRODUCTION OF BILLS

SIR JOHN A. MACDONALD  
HIGHWAY ACT, 2002

LOI DE 2002 SUR L'AUTOROUTE  
SIR JOHN A. MACDONALD

Mr Gilchrist moved first reading of the following bill:

Bill 18, An Act to amend the Public Transportation and Highway Improvement Act to name Highway 417 the Sir John A. Macdonald Highway / Projet de loi 18, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de nommer l'autoroute 417 Autoroute Sir John A. Macdonald.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Steve Gilchrist (Scarborough East):** It came as a surprise to me to discover that the Macdonald-Cartier Freeway that we all thought was the alternative name for Highway 401 had never in fact been made a legal alternative to the highway name. So on further reflection, I thought, what better highway to dedicate in the memory of Canada's greatest politician and founding father than the highway leading to the city that wouldn't exist were it not for the decision, the counsel that had been given to Queen Victoria, to make our country's capital the fine city of Ottawa? It would probably be a town the likes of Renfrew or Arnprior. I think it's most appropriate that Highway 417 be renamed the Sir John A. Macdonald Highway in recognition of Canada's greatest politician.

REGISTERED PLAN EXEMPTION ACT  
(RETIREMENT SAVINGS  
AND EDUCATION SAVINGS), 2002

LOI DE 2002 SUR L'EXEMPTION  
DES RÉGIMES ENREGISTRÉS  
(ÉPARGNE-RETRAITE  
ET ÉPARGNE-ÉTUDES)

Mr Cordiano moved first reading of the following bill:

Bill 19, An Act to exempt registered retirement income plans and registered education savings plans from attachment / Projet de loi 19, Loi visant à soustraire les régimes enregistrés de revenu de retraite et les régimes enregistrés d'épargne-études à la saisie-arrêt.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Joseph Cordiano (York South-Weston):** This bill really attempts to exempt deferred profit-sharing plans, registered retirement income funds, registered retirement savings plans and registered education savings plans from attachment, garnishment or other processes for the enforcement of debt. I think it's an important bill and I urge everyone to support it.

## GOVERNMENT REPORT

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker, and you'll determine whether it is, not the former Speaker, I know, over there: There's a secret report that the government has; you may be able to help me out with it. It's a secret report on ambulance dispatch services in Niagara, and apparently it got leaked to the news media—the government has been hiding it for several months now.

Could you determine whether or not the government is going to table that report in the House today so we can deal with it in an appropriate fashion?

**The Speaker (Hon Gary Carr):** You're right, as usual. It's not a point of order. The government can choose to table or not table.



## CORRECTION OF RECORD

**Mr Wayne Wettlaufer (Kitchener Centre):** On a point of order, Mr Speaker: Yesterday during debate I wrongfully accused the member for Timmins-James Bay of not knowing what he was talking about in reference to the federal government's several months ago granting funding for wet macular degeneration. In fact, the federal government has not given any funding toward wet macular degeneration. The person who did not know what he was talking about was the member for Prince Edward-Hastings.

## MEMBER'S BIRTHDAY

**Mr Michael Prue (Beaches-East York):** On a point of order, Mr Speaker: I think the members of the House should know that today is Gilles Bisson's birthday, and we should all wish him a happy birthday.

## MOTIONS

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr Christopherson and Mr Sergio exchange places in order of precedence and, notwithstanding standing order 96(g), notice for ballot items 41 and 42 be waived.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** It seems we have consent to move one motion respecting estimates, one motion respecting constituency week and one motion respecting Wednesday night meetings and, further, to move all three motions concurrently, with any debate on the motions restricted to 10 minutes combined total for each caucus.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that, notwithstanding standing order 58, the main estimates shall be tabled in the House no later than June 17, 2002, and that the standing committee on estimates be authorized to consider estimates for up to 70 hours in total, with not more than 7.5 hours allocated to any single ministry.

I further move that, notwithstanding standing order 6(a)(i), the House shall meet at its regularly scheduled meeting times on Tuesday, May 21, 2002, to Thursday, May 23, 2002, and that standing order 9(c) shall not apply to those days.

I further move that, notwithstanding the order of the House dated Monday, May 13, 2002, the House not meet on the evening of Wednesday, May 15, 2002.

**The Speaker:** Mr Stockwell moves that, notwithstanding standing order 58—

**Interjection:** Dispense.

**The Speaker:** The House leader for the third party wants to hear it.

Notwithstanding standing order 58, the main estimates shall be tabled in the House no later than June 17, 2002, and the standing committee on estimates be authorized to consider estimates for up to 70 hours in total, with not more than 7.5 hours allotted to any single ministry.

Mr Stockwell also moves that, notwithstanding standing order 6(a)(i), the House shall meet at its regularly scheduled meeting times on Tuesday, May 21, 2002, to Thursday, May 23, 2002, and that standing order 9(c) shall not apply to those days.

Mr Stockwell also moves that, notwithstanding the order of the House dated Monday, May 13, 2002, the House not meet on the evening of Wednesday, May 15, 2002.

Is there any debate?

1400

**Mr Gerry Phillips (Scarborough-Agincourt):** I start by saying that we obviously will be supporting the motion.

I find it unfortunate that, here we are, the largest province, and we still do not have a clear view of our finances. Every other province has presented a budget.

I remember in 1995, as soon as you were elected, you had a study done on the finances of the province that said we should have a budget presented before the fiscal year starts, we should have our finances in order, we should have one set of books. This province still has two sets of books. It was Mr Eves, Premier Eves, in 1995 who said that we were going to get rid of the two sets of books. These were all promises that were made to get our fiscal house in order. As I say, every single province now has a budget; we still do not have one.

I was frankly astonished yesterday that the Premier of this province, who only two weeks ago said, "We are going to proceed to sell off Hydro One"—had it not been for the courts, it would have been a done deal by now. We were asking him yesterday, "Tell us, how are you going to handle the proceeds from this sale of Hydro?" He had no idea. This is the largest privatization in the history of Canada, and the Premier yesterday said, "I'll take that under advisement. I'm not sure how the finances are going to be handled." This is the Premier who said, "Elect me as the leader because I know how to run the finances," and he did not have a clue yesterday about how the largest planned privatization in the history of this country was going to be handled. He said, "I'll have to

get back to you." Think about it: for five and a half billion dollars you were going to sell Hydro One just a few weeks ago, until the court stopped you, and the Premier yesterday—and Hansard can confirm this—had no idea how the proceeds were going to be used. He said, "I'll have to get back to you."

So I say to the people of Ontario, you are looking at the people who say they know how to run the finances of this province. We still do not have a budget, and we are well into the fiscal year. It was in 1995 that the then-Minister of Finance, Mr Eves, said, "I'm going to fix all of this. I'm going to get rid of the two sets of books." Here we are now seven years later and we still have two sets of books. The auditor said to us last year, "This is no way to run the province. You're showing a billion dollars of expenditures in one fiscal year, and in another set of books a billion dollars in another year." We still do not have a budget for the province of Ontario. You say, "Well, they went through a leadership." Yes, you have the right to hold a leadership, but you also have an obligation to run the finances of the province, and so you should have planned for these things.

I would say to Ontarians that nothing could have shaken the faith of Ontario more than the Premier himself, who has just returned to us from Bay Street, whose job it was, I gather, to handle these big deals; he had no idea how \$5.5 billion of revenue was going to be handled. He said, "It will go to pay down the stranded debt." That's not the case. If this thing sells for \$5.5 billion, perhaps \$1.5 billion will go to pay down the stranded debt, and we forgive an enormous amount of annual revenue. He had no idea of that. It's like this is a government that has suddenly taken over from another government. There are three new ministers; the rest are all the same. You simply inherited the books of, dare I say, the former Minister of Finance, Mr Flaherty, and Mr Harris, and you have no idea how you're going to manage the finances.

Here we are and we are prepared to do this. We should have had the estimates by now, although I might add that the estimates are still prepared on a completely different basis than are the finances of the province. It's shocking, and it's different by billions of dollars. This is what Mr Eves promised several years ago he was going to get rid of.

The Liberal caucus and my leader are very prepared to co-operate with the government to allow the estimates to be tabled weeks later than they should have been, but Mr Eves should have prepared himself better. We should not be here in this Legislature with no budget. As I say, every other province in this country now has prepared its budget. It was Mr Eves himself who seven years ago said, "Yes, we're going to now move to having budgets presented before the fiscal year starts." I see in the speech from the throne, finally, eight years later, that he's now promised it. We'll get that next year. We should have had it this year. We should have had from the Minister of Finance and from the Premier a clear idea of how we are going to deal with Hydro One. As I say, the business community is shaking their heads today because just

yesterday we found that this huge undertaking by the province of Ontario—and it was Mr Eves who said, having thought about it for several months, "Yes, we're going to proceed to sell Hydro One. We're going to have an initial public offering." We would now be seeing shares in Hydro One sold, had it not been for the court of this province. Yet that was going to proceed. I dare say that the Minister of Energy had an equally unclear view of how the finances were going to be handled.

I say to the people of Ontario that the new Premier, I gather, won the leadership race on the basis of saying, "Elect me because I'm the person who knows how to manage the finances of this province." I would simply say this: here we are now. They were elected in 1995. The debt of this province—you can check the books—is \$20 billion higher than when they took office. The credit rating of this province is still two points lower than it was 10 years ago. Here we are, the only province without a set of books. It's ironic because this is the same government that says if you're a school trustee, you're going to lose your job. You could be subject to fines if you don't prepare a budget before the school year starts. In fact, you've got to prepare it three months before the school year starts. That's the standard they hold trustees to. But here we are now, two months into the fiscal year, and we will not even see estimates until well into the third month of the fiscal year. Frankly, it's a myth that this is a group that knows how to manage the finances of the province.

The auditor pointed out, "I'm not going to sign the books again if you keep proceeding with these multi-year funding programs. I want you to stop having two sets of books." He pointed out in his last report that—as I say, we're now seven years, heading into eight years, with this government with two sets of books. We also, I might add, are adding up a substantial amount of debt off our books. So, yes, we are co-operating with the government to allow them to change the way we run this place, to present estimates two and a half months after the fiscal year starts. I always say to my business friends, "If you tried to run a company like this, you'd be fired. If you were a public company, the shareholders would tell you, 'Listen, I don't want anybody running my company who can't even prepare a fiscal plan before the fiscal year starts and who keeps two sets of books.'"

Here we are now two months into the fiscal year and we still do not have a financial plan. We are prepared to allow the government to delay for another, I gather, several weeks. I would just say that Ontario demands solid fiscal management of their resources. They pay large taxes. They are right to demand that we manage our finances properly. It was 1995, and it was Mr Eves himself who appointed a commission to look at how we should report our books, and still we do not have them reported the way he promised we would have in 1995.

So our party will be supporting this resolution. We will do what we can to help the people of Ontario have a clear look at the finances of this province. But I would simply say to the government something I always say to the public: don't listen to what they say; watch what they



do. They say they know how to manage the finances, but watch how they mismanage the finances.

1410

**Mr Peter Kormos (Niagara Centre):** First of all, New Democrats are supporting all three of these motions.

But I do for the briefest of moments want to comment on my pleasure at reading this morning's newspapers and discovering that some weeks ago the Prime Minister had called several by-elections across the country and, while commending all of the candidates—who campaigned, and campaigned hard, in Windsor West, down in south-western Ontario—being particularly pleased and wanting to congratulate Brian Masse, who was the New Democratic Party candidate, who won an astounding victory in Windsor West. Knowing Brian Masse and knowing the team that worked with him during that campaign, I'm confident that the folks down in Windsor West are going to be well represented.

I've indicated that we're going to support these three motions, and I've got to tell you that it's not out of any desire to co-operate with the government. Quite frankly, it's out of our concern about the clear confusion that this government, its cabinet, indeed its caucus clearly is in, and it surprises us. First, what has been going on in government ranks for the last four and a half months? The leadership campaign—not much of one—certainly hasn't stirred any passion out there among the electorate. In view of what we understand to be the close and intimate relationship between the former Minister of Finance, now the Minister of Opportunity etc, and the new Minister of Finance, we wonder why there couldn't or wouldn't have been a cleaner flow, a cleaner transition between these two people, both of whom are people with talents that some might want to enumerate, both of whom are people who are committed to their former ministries and are committed to their current ministries.

As I say, it causes us some concern that in view of the rapport which those two personalities clearly have enjoyed historically, the mere fact that they sit beside each other—their caucus whip has chosen to seat the former Minister of Finance side by side with the new Minister of Finance, and I trust that it was at the request of both of them, so that, again, the transition from the former Minister of Finance, now the Minister of Opportunity etc, to the new Minister of Finance would be a smooth one and that the former Minister of Finance could be supportive of the new Minister of Finance, that he could offer her his advice from time to time and that she in turn would turn to him with the intimacy that they have, side by side, to call upon him for his guidance and his counsel.

I do note that for the second day now the two of them have not appeared simultaneously, and that may lead to speculation of Michael Jackson proportions, but I suspect there may be other reasons for it. Of course, far be it from me to speculate about that. It has been suggested that perhaps they're sharing duties, they're sharing responsibilities, that the closeness, indeed the affection,

between these two people permits them to effectively share the job.

Look, I'm here speaking for this caucus. We don't have concern about any antipathy between one caucus or cabinet member and another because we don't believe that could possibly exist. We for the life of us couldn't believe there is any discord or lack of unanimity among the government cabinet, because we know that these people are committed to reaching consensus and to cabinet discipline. Indeed, that cabinet discipline, I read, was demonstrated yesterday evening at George Bigliardi's, over on Church Street, where the Premier and his Minister of Opportunity etc enjoyed a tête-à-tête over what I know to be very good red meat, and undoubtedly a bottle of Niagara wine. I say to the folks in the press gallery, there's an FOI to submit: last night's rendezvous at Bigliardi's. My interest is in, (1)—

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** Who paid for it?

**Mr Kormos:** Of course, who paid for it, and (2) whether in fact it was Niagara wine, or at the very least Pelee Island.

The problem here, and reference has been made to it already, is that these guys simply haven't got their act together. In four and a half months of clearly anticipating this moment—look, standing order 58 is there. It acknowledges that you may not have a budget prepared in time, but then it says, "Well, the solution"—and these are the standing orders that were so thoroughly reviewed by the now caucus whip, and revised and amended. So surely when the government reviewed these standing orders, they also addressed standing order 58, and they contemplated scenarios where a budget might not be available and they created the scenario wherein standing order 58 requires them at least to table estimates.

I'm not suggesting anything that would amount to acts of culpability on their part. I'm not suggesting that they're refusing to table estimates. I'm not suggesting that they're refusing to produce their budget in a timely way. I'm not suggesting anything akin to contempt of this Legislature. I'm suggesting incompetence. I'm suggesting a clear inability to do the very fundamental and basic work, which has been done before. The templates are there; the defaults are already in the PCs, spread throughout a huge Ministry of Finance. I'm suggesting incompetence.

I'm also suggesting some real concern. Look, government caucus members clearly are coming back to Queen's Park after a weekend in their ridings, those who are inclined to still return to their ridings on weekends—because I'm convinced that more than a few find that increasingly difficult, and increasingly attractive to book themselves into events, oh, let's say here in Toronto or in some remote part of the province, as far away from their constituents as they can possibly locate. But government caucus members clearly are coming back to Queen's Park on Monday mornings or afternoons somewhat bruised. I know what people are telling them, because people are telling them the same things that people are telling us.

People are telling government backbenchers that they don't want to see Ontario Hydro privatized, neither the transmission lines nor the generating stations. People are telling Tory backbenchers and Tory cabinet ministers, those who are inclined to listen, those who will step out of the limousine and step into the Tim Hortons or the local lunch bar and listen, the same thing they're telling us: that the people of this province want to see a publicly owned, publicly controlled Ontario Hydro system persist, survive, improve so that people can continue to receive electricity at cost here in Ontario, so that jobs can be protected, so that people—consumers, small folks, little people, people like the seniors who live in my riding, who had the daylighters kicked out of them during the winter last year because of huge natural gas increases, who now are witnessing increases in kilowatt rates for electricity that are exactly what the leader of the New Democratic Party told the public three months ago and six months ago and nine months ago, that they're going to be double and triple what the historical rates were for that same kilowatt hour of electricity.

So I understand the disarray in government and among government benches. I understand that notwithstanding the strong affection that the former Minister of Finance and the new Minister of Finance clearly have for each other and have demonstrated, somehow they still haven't been able to get their act together.

So our support of these motions is not based so much on co-operation as it is on pity and on the fact that at some point, somebody has to show some kindness to this Tory government. So this is one of those gratuitous acts of kindness where we're trying to bring some smiles to the rather glum, long faces that have been appearing in this Legislature since last Thursday, the date of the throne speech included, maybe bring a little bit of sunshine into the lives of those government members, and certainly give them a little respite from the incredible pressure of a standing order that would require a budget—what?—only four and a half months after the House last sat.

1420

**Hon Mr Stockwell:** Gratuitous acts of kindness—I'm certainly not used to them from the House leader for the third party.

Having said that, we get back to work here and I think everyone was looking forward, including the Liberals and this caucus, to putting in some time, getting the work done, putting our shoulder to the wheel. Surprisingly, here we have the third party coming back to this negotiation. We waived standing order 58, I admit, because the estimates were delayed simply for a change in finance ministers and the process that took place during the inter-session. I think any reasonable person would have a reasonable understanding of the change of finance ministers and the process the party went through that created this situation.

**Mr James J. Bradley (St Catharines):** Especially if you don't sit for five months.

**Hon Mr Stockwell:** The member opposite is caterwauling about the leadership process and how long it took. That's the process that was put in place.

I guess the surprising thing is, what did you think would be coming out of the NDP and their—what was it?—"gratuitous act of kindness"? The first thing they wanted to negotiate when we talked about standing order 58 and how we'd move it out of the way was, "Well, we've got to start negotiating how many days off we get." Here we are, shoulder to the wheel, ear to the ground, nose to the grindstone and Mr Kormos, my friend from the third party, says, "We, the NDP, are adamant that we need more time off." So they came here and said, "Boy, I'm not sitting at nights. I'm not sitting Wednesday nights. I'm not going to sit nights in constituency week. We're not working, for heaven's sake."

So here we have it today, we put a motion before the House that allows us to not sit nights in constituency week, not sit nights on Wednesdays. Why? Because the first thing you want to negotiate is time off. You complain and wail about getting back to this place and the first thing your union mentality says is, "Let's negotiate time off. Let's not go back to work. Let's get out of here. There's no point in working for the public, no point in getting down to business. Let's get out of here and go home." So I was surprised, Mr Speaker, shaken and surprised. The same folks who tell us, "We've got to go in and get back to work," are the first guys at the table negotiating time off.

*Interjection.*

**Hon Mr Stockwell:** I didn't even mention the Liberals. I made an agreement not to mention the Liberals, because they wanted to work, I admit. The mistake was the nine members, lowering that limit to be an official party. We know next time what we're going to do, when they come back with four members, I'll tell you. We'll have to make it low enough that you don't qualify but the Liberals do, because we'll need an opposition somewhere.

I say to the member for Scarborough-Agincourt, weren't you part of an administration in 1990 talking about fiscal management and sobriety of budgeting and factual numbers? Weren't you part of that administration in 1990 that went on the campaign trail declaring a \$60-million surplus? And lo and behold, after you lost the election, the poor socialists went into office and that \$60-million fiscal surplus that you said you had was a \$3.5-billion debt. Now, is that what you're talking about when the public deserves fiscally sound assessments and fiscally sound budgets? "I would have presumed so," he says; "They would have fired the lot." Well, do you know what? In 1990, after that, they did fire the lot. You got fired in 1990 because of the fiscal improprieties that you took with respect to the budget.

So yes, we're taking our time. We're going to set the estimates properly. We're going to do a good budget and we're going to balance another budget for the first time in the history of the province of Ontario—more succes-



sive balanced budgets under a Conservative government of Mike Harris, and under a Conservative government under Premier Ernie Eves.

**The Speaker:** We will do the motions separately.

Mr Stockwell moves that notwithstanding standing order 58, the main estimates shall be tabled in the House no later than June 17, 2002, and that the standing committee on estimates be authorized to consider estimates for up to 70 hours in total, with not more than 7.5 hours allotted to any single ministry.

Is it the pleasure of the House that the motion carry? Carried.

Mr Stockwell has also moved that notwithstanding standing order 6(a)(i), the House shall meet at its regularly scheduled meeting times from Tuesday, May 21, 2002, to Thursday, May 23, 2002, and that standing order 9(c) shall not apply to those days.

Is it the pleasure of the House that the motion carry? Carried.

Finally, Mr Stockwell moves that notwithstanding the order of the House dated Monday, May 13, 2002, the House shall not meet on the evening of Wednesday, May 15, 2002.

Is it the pleasure of the House that the motion carry? Carried.

#### EDWARD GOOD

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Mr Speaker, I believe we have unanimous consent for each party to speak for approximately five minutes on the passing of Mr Edward Good.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Witmer:** I rise today on behalf of the government to join all members of the Ontario Legislature in recognizing the passing of an esteemed former member of this assembly who passed away in my community of Waterloo on March 28, 2002.

The headline in the March 30 edition of the Kitchener-Waterloo Record read, "A fine, upstanding gentleman in all things"; Former Waterloo North MPP and founder of funeral home, Edward Good dies at 83."

"A fine, upstanding gentleman": those of us in this place and those of us who knew Ed Good on a personal level can attest to the accuracy of these words.

He served as the representative for Waterloo North from 1967 to 1977, the riding I was proud to be elected to in 1990.

He was born and grew up in Kitchener. He served our military and our country with distinction. He attained the rank of second lieutenant with the Royal Canadian Artillery during the Second World War.

Following the war, he founded the Edward R. Good Funeral Home in Waterloo in 1946 and he maintained his daily business participation for more than 50 years. That thriving business is now managed by his son Paul, along with his long-time business partner, Jim Erb.

I can tell you that Edward Good was known as an individual who always took the time to listen to all points of view and then make well-informed decisions. He was well noted for his integrity, his strength of character and his conviction. He embodied those qualities that we all aspire to be remembered for.

Indeed, former Ontario Liberal leader Robert Nixon said, "I thought the world of Ed Good. He was a very effective spokesman on all provincial issues and was well respected by the people in all political parties."

Another long-time friend and former member of this place, Mr Jim Breithaupt, who served as MPP for Kitchener Centre, said, "Good made a strong, lasting impression on just about everyone he met. He was a fine, upstanding gentleman in all things, and a very effective MPP for Waterloo North."

Our community has a well-regarded reputation as a generous and inclusive community, a community founded by hard-working, honest and resourceful entrepreneurs. In fact, it is a community where the contributions of community-spirited individuals like Edward Good have had a lasting and profound impact and established the foundations for the wonderful quality of life that we enjoy today.

Mr Good was widely known for his service as president of the Waterloo Lions Club, the Central Ontario Funeral Directors Association and as a member of the Royal Canadian Legion.

He won three elections in a row to this House with relative ease, a challenging feat that I think all of us here can appreciate, and during that time he was in the opposition benches. He made himself an expert on municipal law and served as the critic for municipal affairs for most of his time here.

Mr Good's commitment and dedication were always to do the best in serving the people who had elected him. He represented those people in my community with pride, dignity and effectiveness.

I was able to attend Mr Good's funeral and I heard about the tremendous impact that he had on our region as a father, as a friend, as a member of provincial Parliament and as a business person.

Mr Good was predeceased by his wife, Rhea, in 1997, and our sympathy is extended to his three sons, Paul, David and John, as well as to his five treasured grandchildren, Cheryl, Heather, Steven, Aaron and Joshua.

His record of outstanding public service to our community and to this province will always be remembered.

1430

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I am pleased to rise on behalf of the Ontario Liberal caucus and Dalton McGuinty to join in the tribute so eloquently begun by my friend the Minister of Education in tribute to the late Edward R. Good.

We're going to be doing a fair bit of this in the next few days, because we've lost five former colleagues in the intercession, and this might be a good time, I suppose, for me to say to all assembled that this day will come for all of us. You know, we might ask ourselves the question,

what is it we would like to be remembered for in this place decades from now when some successor Legislature will do what Mrs Witmer has done so ably just a few moments ago? I want you to think about that. I think we should all think about that. I'm sure as politicians with healthy egos we do, from time to time.

I'm the only one left who served with Edward R. Good, and I must say when I think of Ed Good I think about hard work, good sense and incandescent, luminous integrity. He was, as our friend from Waterloo has just observed, a really wonderful person, not just here but in his community.

I was thinking as I prepared these remarks this afternoon that he was an undertaker. In my experience over eight Parliaments we've had a relatively small number of funeral directors. We've got two present now: one from our bench, and my friend from Peterborough who is a step or two removed from the business. In my experience, the undertakers I've known here by and large were very good politicians and members of the Legislature.

Ed Good sat about where my friend Phillips now sits. There was something else that I think he did probably better than anyone I know, and I say this as both a private member in the opposition and as a former minister. Ed Good was the ablest legislator I have ever known. He actually took the time and the care to go through legislation very, very assiduously.

He used to sit where our friend Phillips is now seated, and Darcy McKeough, the legendary Duke of Kent, minister of just about everything in the 1970s, sat about where Mrs Witmer is now seated. I can remember the two of them over many hours working their way through very complicated municipal legislation. I was a new member sitting on the back bench and I was astonished at this exercise, because the minister had obviously read the bill, but so had the opposition critic, with a greater care and attention than I have ever recalled or seen in any other opposition member and, quite frankly, with a greater care and a greater attention than I saw in most ministers, myself included. At the end of those exercises there always was the Eddie Good amendment, or two or three. He was an extremely able legislator. It is a breed long gone, but as a new member sitting here I was always struck by how careful he was in that not always rewarded exercise.

In caucus he was a man of straight talk and good judgment. It was, as I think about his career, a real tragedy: though he won, as Mrs Witmer rightly observed, three easy elections to this Legislature, he served 10 years in opposition. He would have been an absolute gem in government. He is the kind of person that political parties want to recruit and need to recruit to this business.

I am honoured to stand in my place today and say, as a former colleague and friend, that we extend to his family and we join the government caucus in conveying to his family our thanks for his illustrious public service, not just here but in the theatre of war in Europe in the 1939 to 1945 period and in so many community activities,

whether it was the Lions Club, the Legion or the business community.

Edward R. Good: hard work, good judgment, incandescent integrity. I hope someone decades from now can say a quarter as much of me and probably the rest of us.

**Mr Peter Kormos (Niagara Centre):** I am honoured to be able to speak on behalf of the New Democratic Party caucus in commemoration of Edward Good, in commemoration of his life, which was a full one, and included the terms here in this Legislature on behalf of his riding of Waterloo North.

I've got tell you that, unlike the previous speaker who acknowledges having been here in the Legislature as an elected member at the time when Mr Good sat, I had to rely upon others who have sat in this caucus. I called Mel Swart and spoke with Mel about Ed Good, and Mel spoke highly of Ed Good. He spoke highly of Ed Good as a member of the Legislature; he spoke highly of Ed Good as a human being, as a personality, as a person who was honourable and as a person who had regard for the practices of this House and for this institution.

I spoke with Elie Martel, and Elie Martel recalls Ed Good as a good MPP. Indeed, after pausing, he had occasion to note that he had never had a fight with Ed Good, at least not a bad fight. In view of the personality of the source, to wit, Elie Martel, to speak of a former colleague as having been one with whom he may have fought but it wasn't a bad fight certainly put Ed Good into a rather exclusive and indeed very small club.

As well, I took a look at Mr Good's—as he referred to it then and as has been referred to—maiden speech. Ed Good spoke proudly and enthusiastically about his community and the residents of his community, a community that was growing as a centre for the university that had been located there. The university was maturing and growing. I was so pleased, when reading the Hansard, when reading the transcript of Mr Good's remarks during his so-called maiden speech, to hear the frequent references he made to the New Democratic Party. He spoke about the NDP campaign, of course, which he had to take on during the course of his first election in 1967. The maiden speech wasn't until 1968. But he spoke of the New Democrats' campaign for affordable housing and for rental controls. He spoke of the New Democrats' campaign to change the voting age to 18. Mind you, he didn't speak uncritically of those New Democratic Party positions but he certainly, and it's clear from a reading of the speech, emphasized them.

Also understand that Mr Good was a member here in an era which was far different than it is now. I'll not speak to the obvious, but I'll speak to this and this alone. It was a time when MPPs, be it Edward Good or Elie Martel or Mel Swart or others to whom we are paying tribute this week, did not have the budgets and the staff, either here at Queen's Park or in their communities. Indeed, when Ed Good did constituency work, it was more than likely at his kitchen table, over the home phone. And when Ed Good and others of his era did constituency work, it was dependent upon enlisting the support



of a spouse—in his case, his wife—and, as often as not, kids as well, if they were old enough to answer the phone and, at the very least, take messages. That's true. These were people who did constituency work and built the fidelity their voters had for them in their communities in a way that required incredible tenacity and, quite frankly, a fortitude that many of us might find daunting were we required to do it the same way without the supports we have.

1440

Mention has been made of his early history, his distinction as a lieutenant in the Canadian army during the course of the Second World War, his involvement in the community and so many of those things that make communities stronger and healthier—in the Lions Club where he was a past president; in his profession as a funeral home director-operator-owner; with the Central Ontario Funeral Directors Association; elected three times to this Legislature—cut from a very unique cloth and I say worthy of the respect that is inherent in the tributes being paid him today.

So on behalf of New Democrats, I salute Ed Good as a good Ontarian, a good Canadian, a strong entrepreneur, a good husband and a good father. We extend our sympathies to his children, his grandchildren, others in his family, his business colleagues and, I am sure, his many, many friends in Waterloo and beyond.

**The Speaker:** I will ensure the very fine comments of the members get sent to the family.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):**

My questions today are for the Minister of Energy. Minister, one of the most important reasons that you and other members of the government are telling us that you have to sell Hydro One is to pay down the stranded debt. Yesterday, you said that if you sell Hydro One for \$5.5 billion, for example, all of the proceeds would go to paying down the stranded debt. Last week, our party received a briefing from officials in the Ministry of Finance. You will be interested to learn that they told us that the vast majority of the sale proceeds will not in fact go to paying down the stranded debt. They said that if Hydro One were sold for some \$5.5 billion, roughly only \$1.5 billion would be applied toward the stranded debt. Can you tell us who it is we should believe, the Ministry of Finance officials or yourself?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** There's stranded debt. There's residual stranded debt. There's debt that Ontario Hydro has acquired over the last number of years. That debt has accumulated on the books. That debt was acquired by Ontario Hydro. We have said all along that the proceeds from this sale will be applied to that

debt. Whether it's residual stranded debt or stranded debt is academic. It has to be paid. We've said the proceeds will be applied to pay down their debt.

**Mr McGuinty:** You're changing your tune on this, Mr Minister. You have been saying all along, and other members of the government and the Premier have been saying all along, that the principal purpose behind selling Hydro One is to pay down stranded debt. There is a difference. If you're not aware of the difference, then you'd better quickly talk to your officials and find out about it. If you don't believe the Ministry of Finance officials, perhaps you will listen to the Provincial Auditor, who also says that you cannot use the proceeds from the sale of Hydro One in the way that you are purporting to. It will not in fact be applied to reducing the stranded debt. Only a very small percentage, a fraction, of the proceeds will be applied to stranded debt. This is a very important part of the business case that you're trying to make to the people of Ontario.

So tell us again why it is that suddenly now you are changing your tune. You've told us that the very reason for selling Hydro One was to pay down stranded debt. Now for some reason you are telling us that you cannot or will not in fact do that. Tell us why you've changed your tune.

**Hon Mr Stockwell:** I ask the member the difference between residual stranded debt, stranded debt and acquired debt by Ontario Hydro. It's all debt and it all has to be paid. Whether you pay residual stranded debt or stranded debt with the proceeds matters not; it must be paid. We've said all along that the proceeds will be applied to the residual stranded debt, stranded debt or whatever debt Ontario Hydro has created.

I say to the leader of the official opposition, if you see a difference between residual stranded debt, stranded debt or other debt, stand up in your final supplementary and tell me what the difference is.

**Mr McGuinty:** Minister, I just want to remind you of what you said yesterday in response to questions during the scrum. They asked you if all of the \$5.5 billion would go toward stranded debt, and you said that yes, it would all go toward stranded debt.

The purpose for selling Hydro One, you've been telling us, is to pay down the stranded debt. Stranded debt apparently is this huge issue, it's a runaway train that's going to run us down—some \$21 billion in debt, and the reason we've got to sell Hydro One is to pay down the stranded debt.

Why is it that today you're singing an entirely different tune? I thought the reason behind selling Hydro One was to pay down the stranded debt, but it turns out that only a fraction of the proceeds will be applied toward stranded debt. Why are you changing your tune when it comes to the purpose behind selling Hydro One?

**Hon Mr Stockwell:** Mr Speaker, the reason he didn't answer the question is that there is no difference, none whatsoever. I appreciate the fact that the member for Scarborough-Agincourt is—you should have had this

question, because he doesn't know what he's talking about.

The difference between stranded debt, residual stranded debt and debt acquired from Ontario Hydro is absolutely nothing. It's all debt acquired by Ontario Hydro. This government has said, "If sold on an IPO or an income trust, the proceeds from that sale, or income trust or lease or whatever, will be applied to Ontario Hydro debt." Whether it's debt, stranded debt or residual debt, it all has to be paid.

The only thing you're arguing, I say to the Leader of the Opposition, is whether you pay your MasterCard or Visa. It matters not. It all has to be paid. We said we will pay the debt. Stranded, residual or any other, there is no difference whatsoever. You're simply splitting hairs.

**The Speaker (Hon Gary Carr):** New question.

**Mr McGuinty:** Let's continue with the same minister on the same subject matter and highlight the total absence of a business case for selling off Hydro One.

We've now made it perfectly clear that in fact the minister has no intentions of using all the proceeds to be applied against the stranded debt. That is now clear.

Here are some very important facts, Minister: Hydro One turns out to be a real money-maker. It's a cash cow. During the last three years, Hydro One earned us over \$1.3 billion net: \$656 million in dividend payments and \$668 million in payments in lieu of taxes. So can you help us and Ontario families better understand the business case behind selling off a most valuable piece of our infrastructure that during the course of the last three years alone brought in over \$1.3 billion?

**Hon Mr Stockwell:** Only the leader of the official opposition would classify a company that has \$38 billion in debt and \$17 billion in assets as some kind of cash cow.

We consulted to ensure the efficient supply of energy to be competitive in the international marketplace; to provide the necessary capital for restructuring the generation and distribution of power in the province of Ontario; to bring private sector discipline to Hydro One and prevent, I also emphasize, any possibility of the recurrence of a current \$38-billion debt while eliminating it. To achieve these goals, we will also protect the consumer.

Hydro One, through political decision-making over the last number of decades, has been allowed to run amok: \$38 billion of debt; \$17 billion of assets.

Yesterday the member opposite suggested, "Why don't you do the easy thing?" The problem is that for three or four decades governments and politicians have been trying to do the easy thing, and this is the kind of mess we're in. We need to make a decision and protect the consumers, apply the private sector market to it and have a firm supply of power to the public at a reasonable cost. We will go to whatever lengths we have to to ensure this necessary product is produced in Ontario.

1450

**Mr McGuinty:** Minister, you will go to whatever lengths you have to to give expression to your narrow

ideology and to help out your pals on Bay Street. That's what this is all about.

Where's the business case? Do you know what you told the folks over at the Kitchener-Waterloo Record? "He admits the government has no study or report on how much money will be saved with a private sector owner over a publicly owned utility." That's you.

Something you also mentioned in your response was that one of the other reasons that we've got to sell off Hydro One is so that we can have some money to invest in capital improvements. Take a look at the facts once again. You should know that Hydro One has been continuously investing large sums of money in capital improvements. In fact, during the course of the past three years, they've invested over \$1.5 billion in capital improvements. Hydro One is not only turning a substantial profit year in and year out; they are investing in our future by continuing to upgrade our single most important piece of infrastructure.

So tell me again, Mr Minister, if the sale proceeds are not going to be applied to the stranded debt, and if there is in fact enough money for capital improvements, and if it's turning an annual profit, what's the business case for selling off our Hydro One?

**Hon Mr Stockwell:** Back to the original question, debt is debt. The money is owed and it was incurred by Ontario Hydro. We have committed to take the proceeds to pay the debt that was incurred by Ontario Hydro. Why don't you listen to the Power Workers' Union? That's the union that told us, told the province and told my friend over here that previous governments didn't invest in the infrastructure. We're billions and billions of dollars behind in maintaining the infrastructure, and if we continue to be behind, we're going to be in a colossal fix in the next couple of years. They also suggested they're up to three quarters of a billion dollars behind in training new staff to maintain the infrastructure.

Let me tell my friend opposite that the fact is simply this: this company has been badly managed for three or four decades, it has serious debt, it has very little in the way of assets, and the public needs a good supply of power. The best approach to take is to do what this government has said it would do. It will consult, it will listen to the people of the province of Ontario and it will act. It will act decisively with the consumers at the top of mind. No one else but the consumer will be at the top of our agenda.

**Mr McGuinty:** Minister, once more, the problems connected with Ontario Hydro are connected with generation, not with transmission. We haven't seen this kind of gross fiscal incompetence since your government sold off the 407. This is what you had to say in that regard more recently. In fact, on February 28, 2002, you said, in reference to the 407, which has perfect application with respect to your proposal to sell off Hydro One, "It's like selling your horse to buy a cart. There's no value to this. In fact, you put yourself further behind."

What we are waiting for is the business case. You have failed to make a business case supporting the sell-



off of Hydro One. We've now established that only a fraction of the proceeds will be applied to the stranded debt. We've also established that Hydro One is bringing in hundreds of millions of dollars annually to the treasury to help support programs like health care and education. We've also established that Hydro One is maintaining ample improvements in capital projects.

Why don't you just admit that this has nothing to do with a business case made out on behalf of the people of Ontario? This has everything to do with your narrow ideology and your plan to supply your pals on Bay Street.

**Hon Mr Stockwell:** They spent months telling us that we didn't consult enough. They spent months telling us that we had to hear from the public. Their suggestion at the time was, "You're moving too quickly and this is all for your Bay Street friends with respect to the IPO." We have now said that we'll bring a piece of legislation into the House. I went out and consulted in 10 cities. We've undertaken a strike committee to go out and consult, and you tell us, "No, you shouldn't do that, either."

The fact remains, we have suggested to you in the opposition and to the public that we are prepared to consult and hear their concerns and issues. We will consult by committee. I have consulted. When the time comes, when the legislation passes this House, we will take a decision. I don't think you can accept the fact that we're consulting. We're damned if we don't consult and damned if we do consult. The one who's got few positions on this is you. One moment you're telling us, "Go out and consult," and the next moment you're telling us, "Make a decision." You come to a conclusion what your policy is as a party and tell us what you think we should do, because we're going out to consult, we're talking to the public and we're going to take a decision.

#### ELECTRICITY MARKET PRICE STUDY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. Deputy Premier, the Globe and Mail revealed today the secret electricity price study that undermines your entire—

**Mrs Sandra Pupatello (Windsor West):** Big suck.

**The Speaker (Hon Gary Carr):** Please take a seat. Member for Windsor West, withdraw that, please.

**Mrs Pupatello:** I withdraw. I meant to say—

**The Speaker:** Sorry for the interruption.

*Interjections.*

**The Speaker:** Order. Thank you very much. I heard her. I'm the one who needs to hear. She withdrew it, thank you very much, and I can't hear when you're yelling when she's trying to withdraw it. I thank the member for Perth-Middlesex; I will be the one who needs to hear her.

Sorry for the interruption.

**Mr Hampton:** My question is for the Deputy Premier. The Globe and Mail revealed today the secret electricity price study that undermines your entire Hydro privatization scheme. For 18 months your government tried to cover up this study because it reveals the harsh truths

about Hydro privatization that you don't want the public to see. I can quote from the study: massive rate hikes of up to several thousand dollars per megawatt hour, Hydro electricity rates that will be higher than under a public utility system, and electricity rates driven higher because privatized Hydro profiteers will sell as much power as possible into American markets.

Minister, why did your government withhold this important study of Hydro deregulation and privatization from the people of Ontario for 18 months?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** The Minister of Environment and Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Let's be clear. There were four studies. Three studies were by us, which we released immediately. The study you speak about wasn't contracted by us, it was contracted by the IMO. That was the company that asked for the study to be done. The proponents who did the study told the IMO and us and the privacy commissioner that it contained very important financial information they didn't want released. They requested that it not be released. The reason it was released recently was because the study is now two years old. The financial information that was provided in the study isn't as integral or relevant today as it was when the study was done.

Furthermore, with respect to the study, the study suggested that in those American markets where the spikes were, they were there because they were undersupplied. The difference between those American markets that were undersupplied and the Ontario market is that we are oversupplied. Because we're oversupplied with power, we will not have the same kind of spikes that will drive the price up in that range.

I say to the member opposite, we have continued to bring power on line. We're going to have Pickering up, we're going to have Bruce up, we're going to have another plant out in Sarnia, because we want more supply which will drive down the price, and—

**The Speaker:** I'm afraid the minister's time is up. Supplementary.

**Mr Hampton:** The minister must be confused about his studies because this is a study of electricity markets in the US Midwest—Michigan, Ohio, Illinois—and in the US northeast—New York, Pennsylvania, Massachusetts. This isn't a study about California; this is a study about the very states where your hydro privatization scheme for Hydro One would want to move more electricity to. The study is very explicit.

The minister gave something revealing in his answer. This is the minister who is supposed to be looking out for the public of Ontario. This is the minister who is supposed to be making sure that the people of Ontario don't get gouged. But what does he cite as his reason for not turning over the study? He wants to protect the corporations. He wants to protect their competitive ability. Minister, that's the whole problem here: from day one you have been looking out for your Bay Street friends

and you've been trying to keep the information from the public of Ontario. That's the whole problem.

My question to you is this: since this information has just become available to the public, will you cancel your plans for further deregulation and privatization so people have a chance to—

**The Speaker:** The member's time is up. Minister?  
1500

**Hon Mr Stockwell:** It wasn't my study; it wasn't the government's study. I don't know why you're laughing. It was a study by the IMO; you know that, IMO. It wasn't a government study. The freedom of information request—and I'll spell it for him: I-M-O—came through them. They had sensitive information in there.

I spoke about the northeast and the Midwest because at the time the study was done they had a supply problem; today they don't. They built more generation in those areas so they built up their supply, and so they don't have the same supply problem that caused those spikes.

The fact remains that we didn't have that study. It wasn't done for us. The request was made to provide all the studies done for the government. We released three studies; the fourth they asked for wasn't commissioned by us. We had it; it wasn't commissioned by us. The company that commissioned it, the company that did it, said, "It's got financial information. We don't want it released." That's a reasonable thing to say. So the IMO released it April 30, I believe, when the information wasn't as integral to their operations. It's not an unreasonable way to do business. It's not an unreasonable approach.

Furthermore, the information in that study dictates what we thought all along: with a good supply of hydro—

**The Speaker:** I'm afraid the minister's time is up. Final supplementary.

**Mr Hampton:** In fact, I raised those very questions in this Legislature. I put it to your colleague, your former Minister of Energy, that in fact all of these things were being predicted by situations elsewhere. I pointed out to your Minister of Energy that in fact last summer Ontario's demand for electricity during a very hot summer exceeded the supply, and your government said from the beginning, "Oh, this is all nonsense. There are no studies showing this. There's no information showing this." Well, there was, and your government covered it up for 18 months to keep it from the public of Ontario.

Now that we know that last summer Ontario peaked out, its demand exceeded its supply, that there isn't a surplus of energy, that as soon as you privatize you then have to supply Michigan, Ohio, New York, New Jersey and you can't control exports, since you know that all of those things are now on the line, will you be open with the people of Ontario, after hiding the information for 18 months, and cancel your scheme to privatize and to fully deregulate our electricity system?

**Hon Mr Stockwell:** If there's a single accurate statement in there, I may respond. Not one thing you said was accurate, not one thing. You said you've said a lot of

things in this House; yes, you did. You said on May 1 prices were going to double. That's the first thing you said. Well, they didn't double. In fact, they're below what it was when the market opened at 4.3%. You also said in this House, "When you open the market on May 1, we're going to have blackouts and brownouts all across the province." It hasn't happened, Mr Leader of the Third Party. That's another thing that didn't happen.

You've been travelling this province providing inaccurate information to all the citizens and people of this province in order to convince them, Mr Little, that the sky is going to fall. Well, the sky hasn't fallen, prices haven't doubled. All I can say to you, the leader of the third party, is that there wasn't one bit of information you provided in this House that has turned out to be accurate or true. Every bit of fear-mongering you've done has been just that: fear-mongering. Nothing you have said has been accurate or has come to pass, so why would I believe you now, when no one could believe you over the last five months?

#### BRUCE GENERATING STATION

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Energy: you might want to remember the words of your predecessor who said, "We should follow the example of California with electricity privatization and deregulation."

The Globe and Mail information speaks for itself. The government used every manoeuvre possible to keep this information from the people of Ontario for 18 months.

But that's not all. About a year ago, New Democrats filed a freedom-of-information request to find out what information this government had about the Bruce nuclear station lease and how much that lease and the station were worth. This government, for one year, has refused to turn over any of that information. And what is their excuse again? They are not looking out for the people of Ontario. Their excuse is that they want to protect the competitive position of British Energy and Ontario Power Generation. So privatization and deregulation are used to keep information from the public again.

Minister, will you finally release the studies and the analysis of the Bruce nuclear deal so that people in Ontario will know exactly how much you undersold it by and if in fact you gave it away for less than half price?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I don't know why you won't listen to the brothers and sisters in the Power Workers' Union, leader of the third party. The brothers and sisters in the Power Workers' Union, the ones who work hard, who, like Kormos would say, sweat it out day in and day out in that industry, have forgotten more than you know about the power in the province of Ontario. They are the people who stood in their place at the committee that I travelled to and said, "You should move to privatization." Why? Because it's going to get us capital from the market. It's going to turn the thing



around. It's going to produce. It's going to generate jobs and union jobs, the same way it did at Bruce.

The Power Workers' Union, the brothers and sisters who work at Bruce, are damn proud of Bruce. They are damn proud of the British company that bought them, and so am I. Of the two plants that weren't operating at anywhere near capacity, one today is near capacity and the other one is going to open up.

Jobs, prosperity, investment, taxes: that's what this government wants, and that's what we got from Bruce hydro.

**Mr Hampton:** If the government thinks it's such a good deal, why won't you release the documents? Why won't you release the documents so that people in Ontario can decide for themselves? Instead, these are the manoeuvres you have to go through: going back over a year to the Information and Privacy Commissioner; notice of inquiry; representations of the Ministry of Finance; reasons why Ontario Power Generation wants to exclude the information.

When you sort it all out, the reason that the government doesn't want to provide the information is that they want to protect the private corporations. You're more interested in those private corporations than in what's going to happen to the electricity ratepayers of Ontario.

If this is such a good deal, as you've just tried to tell people, then simply release the information so people can decide for themselves.

**Hon Mr Stockwell:** You live in a conspiratorial world, Mr Hampton. It's unbelievable. You are going to find capitalists under rocks tomorrow.

You don't like the Power Workers' Union. You don't think the brothers and sisters know what's good for them and good for the industry, and they are the union folks.

What don't you like about the auditor? The Provincial Auditor has conducted a value-for-money audit for the Bruce lease. He's got all the information. A final report is expected to be tabled with the public accounts committee in May. We have turned that information over to the auditor. Why do you not think the auditor will do a fair and honest job in representing the facts about the Bruce lease? We have faith in the auditor. You keep telling us you have faith in the auditor. Let's see the auditor's report.

You know why you don't have faith in the auditor? I'll tell you why. Because the Bruce lease was a good deal—a good deal for the Power Workers' Union, a good deal for the brothers and sisters, for the workers, for the management, for the communities, for Kincardine, for the government, for taxes, for prosperity. What have you got against prosperity? You're never, ever going to win this debate, because you are opposed to prosperity.

#### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question for the Minister of Energy. Minister, you continue to tell us that it doesn't matter where the proceeds from the sale of Hydro One go as long as they go

against some kind of debt, whether that be stranded or, as you call it, residual. As Minister of Energy, are you not aware that the only debt for which hydro users are responsible is in fact stranded debt? I'm wondering if you are aware that it is in the interests of hydro users to pay down the stranded debt as soon as possible—that's the debt that's reflected on their bill—and I'm wondering whether or not you understand it is your responsibility, Minister, to protect hydro users in the province of Ontario.

1510

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I tip my hat to Liberal research. Thank you for getting that note in there to the Leader of the Opposition that he understands there's something besides stranded debt, residual stranded debt and other debt. And I appreciate you guys trying to help him out. Maybe he talked to Gerry, I don't know, but I guess he got a note in from the side.

It's all debt. It was all debt acquired by—

*Interjections.*

**Hon Mr Stockwell:** Oh, yes. All that debt was acquired by—

*Interjections.*

**Hon Mr Stockwell:** Calm yourself. All that debt was acquired by Ontario Hydro, whether it's stranded debt, residually stranded debt or debt otherwise. All that debt was acquired by Ontario Hydro. We have said all along we will apply the proceeds of a sale, if there is a sale, to the debt that was acquired by Ontario Hydro. Whether it's stranded debt or residual debt, it will be applied to debt. The difference you're arguing is such hair-splitting of whether you pay your MasterCard or your Visa. It doesn't matter you owe them both. I don't really care which one you pay, and that's where it's applied.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Michael Bryant (St Paul's):** The minister wants to bluff and bluster his way through the 21st-century equivalent of selling Manhattan Island for 21 bucks. It's a serious issue, obviously, selling Hydro One. The government says it's open. You say you're open, consulting. Tell me this: are you open to keeping Hydro One in public hands?

**Hon Mr Stockwell:** Yes.

#### GRAPE AND WINE INDUSTRY

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Consumer and Business Services. As the member for Niagara Falls and Niagara-on-the-Lake, Ontario's grape and wine industry is responsible for countless jobs in my constituency and is one of the—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

*Interjections.*

**The Speaker:** In fairness to the member, we will allow you to start over. You were interrupted, so take your time and start over, if you would, please.

**Mr Maves:** Thank you, Speaker. I don't understand the animosity the opposition party has toward their own leader leaving the building.

My question is for the Minister of Consumer and Business Services. As the member for Niagara Falls and Niagara-on-the-Lake, Ontario's grape and wine industry is responsible for countless jobs in my constituency and is one of the major economic engines for the entire region. However, unfair competition from the international markets has affected the success of Ontario's world-class wines. What are you doing to ensure that this industry grows and prospers in the future?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I thank the member for Niagara Falls and Niagara-on-the-Lake, a very strong advocate for the grape and wine industry in Niagara. In fact, on this I'd like to welcome the students from Niagara Christian College who have joined us here today from Fort Erie.

I think anybody from Niagara, like ourselves, those who have visited the beautiful peninsula or Pelee Island or Prince Edward county, know the value of the grape and wine industry in those communities and the jobs it creates and the hundreds of millions of dollars of investment. Under Ministers Runciman and Sterling, we created an Ontario wine strategy to poise the industry for greatness: a \$1.1-billion contribution to our economy by 2020. It involves a number of strategies including marketing, boosting sales through the LCBO and other outlets, and a wine and culinary tourism strategy that is also underway. I want to congratulate my predecessors, Ministers Sterling and Runciman, for their great work. I look forward to working with the Ontario wine council to further that and make sure we achieve those goals set out in the wine strategy.

**Mr Maves:** It seems clear that domestically this government is on the right track to ensure the long-term success of Ontario's grape and wine industry. It is also important to keep in mind that Ontario's wines are garnering a great deal of international attention but don't always have fair access to international markets around the world. Of course, limited access means our world-class wines don't receive all of the exposure they deserve.

While I hesitate to ask once again for this government to do the job of the federal Liberals, what is this government doing to aid with the international success of Ontario wines?

**Hon Mr Hudak:** The member makes an excellent point. Ontario wines are increasingly winning international awards and recognition and prestige but are not gaining enough access to European markets. There is a fundamental imbalance. We sell about \$400 million in European wines but we only sell about \$40 million of Ontario wines in the European market. In short, European wines enjoy free and open access to Ontario markets but that is not reciprocated for Ontario wines despite their increasing international prestige.

Under Minister Runciman we fought for and won access and derogation for Ontario ice wines, resulting in

increased sales. That's a big step forward but there are more steps to be taken. I look forward to working with the wine council and our federal trade negotiators to make sure that European consumers have full and fair access to the award-winning great Ontario wines.

## MINISTRY SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is to the Minister of Environment and Energy. Minister, over the last couple of months you have taken the opportunity to travel across this province and you've talked a lot about fiscal responsibility and accountability. As is the case in the cost of cabinet offices, your government says one thing and does another, so it's my responsibility to hold you accountable for your actions. My question concerns your office expenses.

You and your staff spent over \$25,000 in just over a year on food and drink, and over the course of one evening a few held what you called staff meetings in different bars. People of this province deserve to understand how you justify this blatant misuse of public taxpayers' dollars.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** During that time they put three or four bills through the House. The staff was working many hours. They also did the regs and all the work that went with the meetings. They worked very hard and they worked many hours. In my opinion, they work hard to do their job. With fairness to the staff, they did their jobs and they did incur expense. It was over 18 months that this was done. I think they did good work to get those bills through the House. It did cost money. Yes, it did, because they worked very late and they worked afterwards as well.

**Ms Di Cocco:** In fact, Minister, you were in violation of your own government's guidelines on expenses. Under section 11 of the ministry expenses guidelines it states, "Costs incurred for alcoholic beverages will not be reimbursed." You and your staff violated your own government's guidelines over 44 times. You had taxpayers pick up your bar tabs after midnight at least 44 times.

Minister, given that you are in clear violation of your government's policy, what have you done to ensure that this money is repaid and what disciplinary action have you taken to ensure this misappropriation of funds doesn't happen again?

**Hon Mr Stockwell:** I met with the staff. We discussed it. I asked them, in the future, to deal with it in an appropriate fashion and submit the bills to me. I will approve the bills as they come in.

Let me be clear: they worked very hard. They produced a lot of work during that time. They worked very late. They went out, they had dinner afterwards. You're right. As far as I'm concerned, they did good works. In future, they will submit bills to me. If they are appropriate charges, I will approve them. I'm not going to stand here and suggest to you that they didn't do good



work. They did do good work. They worked very hard and put many bills through the House at that time.

**The Speaker (Hon Gary Carr):** New question.

1520

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Energy responsible—

**The Speaker:** I'm sorry. In the rotation it now goes to the NDP.

*Interjections.*

**The Speaker:** Yes, but they didn't stand up. It goes to the leader of the third party. They missed a rotation. I looked—

*Interjections.*

**The Speaker:** No, you didn't. I looked. Sorry. The leader of the third party.

*Interjections.*

**The Speaker:** I saw standing the member for Bramp-ton Centre. I gave you lots of time. That's why I moved to the other side. Leader of the third party.

### SOCIAL ASSISTANCE

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Deputy Premier. Ontario's highest court, the Court of Appeal, has ruled that your government's spouse-in-the-house law discriminates against people who must rely upon social assistance. I'm going to ask you today that you respect the ruling of the court. It was a unanimous decision, where they ruled yesterday that the law strips women of their dignity by forcing them to become financially dependent on men. The court said very clearly that the considerable negative effects, including reinforcement of dependency, deprivation of financial independence and state interference with close personal relationships, far outweigh any money that you might take from these women.

Your government brought in this discriminatory law that the court now says is illegal. Your government is not above the law. Will you obey the law now?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I know that the Minister of Community, Family and Children's Services is dealing with the issue. I would ask her to respond.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** We are obviously very respectful of the law. We are carefully considering the court's finding before making any further decisions. We are reviewing the decision. We are considering the implications that will come from a decision like that.

Let me be very clear, though. Our government does believe that social assistance should be directed to people in need. We believe that if a couple is living together but not married, the income and the assets of both should be considered when deciding if they are eligible. When two couples are living in identical circumstances, except one couple is married and the other is common law, we believe that it is only fair that the assets of both should be considered when applying for social assistance. We believe this is common sense. We believe, most important-

ly, that social assistance assets should be given first and foremost to those who are truly in need.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Tony Martin (Sault Ste Marie):** Minister, I just came back from a rally in Sudbury in memory of Kimberly Rogers. Kimberly and her unborn child died last August while under house arrest, criminalized by your government because she had the audacity to collect student loans while she was on welfare, something that thousands of people have done in this province successfully over the years to improve their lot in life. Kimberly Rogers is just one example of how your government's discriminatory policies against people collecting social assistance can have tragic and dire results. You act as though you are above the law and can treat the poor like criminals.

My request is simple: will you immediately bring all your regulations into compliance with the court's decision and confirm today that you will not appeal this case?

**Hon Mrs Elliott:** As I just indicated, the Court of Appeal has just released its decision regarding the family benefits definition of spouse. We are carefully reviewing the decision. We are carefully assessing the implications of such a decision. We are going to consider that before we make a decision on how we should move forward.

Again, I say that the government believes social assistance should be directed to those most in need. We do not support defrauding the system. The reason we do not support allowing fraud in welfare is because it deprives benefits from those who truly need it.

### COMPETITIVE ELECTRICITY MARKET

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is for the Minister of Energy. It deals with consumers in this new electricity world.

The other day, the throne speech said that one of the government's primary concerns is consumer protection. With that as a backdrop, I want to share with him a concern that many of my constituents have raised with me in recent weeks. In the months leading up to the opening of the electricity market in Ontario on May 1, 2002, Ontario Hydro Energy, the subsidiary of the crown-owned Hydro One, went out and signed up almost 200,000 electricity contracts. They did so in many cases by clearly presenting themselves as the government company: Hydro. I know of several senior citizens in my constituency who only let them in the door and who only signed a contract because they thought they were signing with Ontario Hydro.

Imagine their surprise, then, when just days before the opening of the market on May 1, Hydro One announces that it has sold the entire portfolio, nearly 200,000 of those electricity contracts, to Union Energy, a wholly owned subsidiary of EPCOR utilities of Edmonton, Alberta. What do you say to those consumers, many of them senior citizens, who believe at this point they were hoodwinked and misled by a subsidiary of their crown-owned, government-of-Ontario-owned Hydro One?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** There's a regulatory body in place that manages these affairs. It's the Ontario Energy Board, headed up by the previous finance minister under the NDP, Mr Floyd Laughren. The Ontario Energy Board is entrusted and regulated with power to manage and deal with the issues with respect to the door-to-door sales of the hydro contracts you speak of. They investigate and determine whether or not there have been fraudulent actions taking place and they have the power to fine and discipline and even withdraw licences.

The fact remains, we consider consumer protection very important. We spoke about it in the throne speech. When the new legislation comes into this House, there will be parts of it that will also deal with consumer protection. But the fact remains, if anyone out there feels they were dealt with unfairly or fraudulently, they have the capacity to make an appeal to the Ontario Energy Board. The Ontario Energy Board has the power to adjudicate on that and deal with that company very directly.

**Mr Conway:** It's true that just a few weeks ago the Ontario Energy Board, the regulator, fined Ontario Hydro Energy about \$46,000 for a dozen or so of these offences, but I want to make this point: there's been a lot of talk about consumer protection. Your company, our company, went out over months and particularly went after senior citizens. That company went out, in some cases in a totally rapacious manner, misrepresented themselves as a retailer, got senior citizens by the thousands to sign up, only then to sell the entire portfolio of contracts to an Alberta-based company. I can tell you, my 85-year-old father wouldn't have let Union Energy in the door. He signed with Ontario Hydro Energy because he thought he was dealing with the crown-owned company, and he's not alone.

What the hell is Clitheroe and company doing under your supervision with this kind of outrageous and misleading behaviour that is clearly a violation of the code of conduct?

I say to you, Minister, there are tens of thousands of Ontario citizens, many of them senior citizens, who are weeks away from finding out that they were not only misled by their government and their government's company but they were ripped off in a serious way.

**Hon Mr Stockwell:** I take exception to the fact that they were misled by the government.

**Mr Conway:** They were.

**The Speaker (Hon Gary Carr):** Order. I didn't hear that. I apologize if you've said that. You need to withdraw that if you said they were misled by the government. I would ask you to withdraw that.

**Mr Conway:** I just want to be clear. I'm saying Ontario Hydro Energy misled many consumers into believing they were signing a contract with a crown agency when in fact they weren't.

**The Speaker:** That is different. I didn't hear that. I understand that. I apologize. Just to clarify it, he was correct and that is acceptable. Sorry.

**Hon Mr Stockwell:** Then I obviously misheard the gentlemen across the floor. I thought he said the government misled.

Let me say this: there are provisions put in place to protect consumers and there is a regulatory body that is entrusted to protect consumers—the Ontario Energy Board. That's how the regulatory body works. You have a regulatory body put in place to protect the consumers.

If in fact you have this information that you testify to be accurate, that information should be laid before the Ontario Energy Board. Then the Ontario Energy Board will investigate and adjudicate, much as they have done in the past. Just very recently they went out and investigated some alleged statements similar to yours and they fined two companies, because you aren't supposed to do that.

We have also said in the throne speech that we will bring forward legislation to toughen up consumer protection. We have been in a position here that we understand that there needs to be good consumer protection and a good regulatory body.

All I can say to the member opposite is, if that is information you have, then lay it before the Ontario Energy Board and they will pursue it vigorously. They have been given that mandate from this government to do just that.

1530

## AFFORDABLE HOUSING

**Mr Steve Gilchrist (Scarborough East):** My question is to the Minister of Municipal Affairs and Housing. There appears to be a great deal of confusion, certainly in the minds of some of the media and our opposition critics, about the relative contribution by the three levels of government toward providing housing supports here in Ontario. I certainly recall from my days in the ministry that notwithstanding the half-truths and mis-truths that are the hallmark of the bulk of the criticisms we face on this issue, the province of Ontario was by far the greatest contributor to housing programs.

Minister, I know you've been working very hard to improve the business and tax climate for the construction of affordable housing in Ontario. I was wondering if you could provide an update on the status of the federal, provincial and territorial agreement on housing that was reached last year.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I thank the member from Scarborough East for asking the question. There has been a lot of confusion. I've read stories that Ontario is somehow holding up an agreement with the federal government—absolutely not true. We are ready to sign an agreement with the federal government. We have been since last August, when I was the chair of the federal, provincial and territorial meetings in London, Ontario. Again in Quebec City, we were ready to sign with Minister Gagliano. They've had a cabinet shuffle in Ottawa. We're ready to sign today. Quite frankly, we're getting a little



frustrated with the foot-dragging by the federal Liberals on this issue.

**Mr Gilchrist:** Thank you, Minister, for that information. There appears to be real evidence for the first time in 25 years that there is an equilibrium developing between rental housing demand and the housing supply being provided by the private sector all across Ontario and even here in Toronto. I'm concerned, though, that there appear to be significant barriers for the private sector in the construction of affordable rental housing, notwithstanding opposition suggestions that the supply has been constrained exclusively by the Tenant Protection Act. So I'm glad to see we're making progress with the federal government on this agreement.

I was wondering what other steps you've taken to remedy the damage done by the previous government and to get the rental industry building again in Ontario.

**Hon Mr Hodgson:** We have taken a lot of steps to remove a lot of the barriers and the damage created by the Liberals and the NDP in their reign in office and we're seeing results. Housing is working. The numbers work at the top end. We have a problem at the affordable end.

But the answer to the provincial Liberals' concern about how much money we're spending is that the Ontario government is spending \$879 million a year. That's twice as much per capita as any other province. The federal government—CMHC—makes a profit of \$400 million a year. They are talking about putting back \$170 million a year. They are still ripping off poor people in this country by \$230 million a year. If we were to match that the way the Liberals want it done, we would have to cancel our \$879 million on an annual basis and think up a tax on poor people that the Liberals support in Ottawa through higher premiums.

There are only two places that CMHC gets its money: from insurance premiums on rental accommodation, for which the rates are too high, and from poor people who can't afford the down payment and need to insure their premium. They made \$400 million last year; they are returning \$170 million. And it gets worse: most of the money comes from Ontario, and we only get \$61 million of that on their four-year, time-limited program.

If they really wanted to fix the housing—

**The Speaker (Hon Gary Carr):** The minister's time is up.

### LONG-TERM-CARE FACILITIES

**Mr John Gerretsen (Kingston and the Islands):** My question is to the Deputy Premier. Life for the more than 30,000 seniors who are currently on waiting lists for space in a nursing home or a home for the aged, and their families, has become a lot more stressful and chaotic as a result of the new regulation forcing many seniors into nursing homes before they are ready. Not only will the regulation worsen the backlogs on hospital boards but, more importantly, it will also give the seniors limited choices for a nursing home place. As a matter of fact, you

are threatening to charge seniors over \$300 a day for refusing to take the first bed offered to them in a long-term-care facility. Your policy of striking names of seniors off the waiting list for a six-month time period if they refuse to choose within a 24-hour period and move in within five days may in effect cause families to put their father or mother in a home earlier than they need to so that they don't lose their spot in line.

Why are you treating the seniors of this province, who have contributed so much to this province, in such an utterly disrespectful fashion?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I know that the Associate Minister of Health is very anxious to respond to that question.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I want to assure the member opposite that our government wants to ensure that seniors who need long-term care are able to get it as quickly as possible. That's why we worked with our partners in the long-term-care and community-care sectors to bring about new regulations which will shorten waiting lists for long-term-care facilities as well as speed up the application process for patients. Indeed, these changes mean that all bed vacancies in long-term-care facilities will be filled more quickly by those persons with the greatest need for facility care. These regulations have legally come into effect on May 1 of this year.

**Mr Gerretsen:** Minister, your own spokesman didn't even realize the effect that these regulations would have. As a matter of fact, he said, "I don't know. I didn't write the regulations."

If your officials had really been working on this new policy for such a long period of time, why did the new regulations fail to address the backlogs on hospital wards that caused the overcrowding in the province's emergency wards, and why are they so tough on seniors? It is deplorable that in a wealthy province such as Ontario, government funding has not kept up for long-term-care facilities with the average in this nation.

Minister, why are you treating seniors with such utter disrespect? Why don't you allow them a sufficient length of time to make the choices and give them the available choices that indeed they should be accustomed to and are entitled to in this province?

**Hon Mr Newman:** It sounds like the member opposite wants our seniors who are on waiting lists to be on waiting lists forever. We want to ensure that those individuals get the care they need where and when they need it. This regulation that came into effect establishes a limit of three long-term-care-facility waiting lists per individual applicant that they can be placed on at a single time. It also establishes the one-offer policy for offers of admission to long-term-care facilities. There is also an extension of the bed-holding period from three days to five days on the admission to a long-term-care facility. It also requires the mandatory reporting of all long-term-care-facility bed vacancies to long-term-care facilities.

I want to quote the CEO of the Ontario Association of Non-Profit Homes and Services for Seniors. She says, "I

think it will give a certain amount of integrity to the waiting list. What often happens is people put their name on waiting lists for facilities when they're not bed-ready. What they're saying is you can't say no forever and basically tie up the system."

### GO TRANSIT

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Minister of Transportation. In 1992, the Bob Rae government discontinued GO Transit service to the town of Innisfil and the city of Barrie. In 1998, the city of Barrie, through the financial assistance of \$2 million from our government, purchased the rail line from Bradford-West Gwillimbury to Barrie, which was slated to be torn up by CN, with the blessing of the federal Liberal government.

Since that time, the province has taken over responsibility for GO Transit and a comprehensive study was completed by the Barrie rail passenger committee, chaired by myself. This study provides a strong business case for the return of GO Transit.

Minister, what are the prospects for the return of GO Transit to the town of Innisfil and the city of Barrie?

**Hon Norman W. Sterling (Minister of Transportation):** Yes, indeed, our government has taken back responsibility for GO Transit. That's saving the municipalities in the greater Toronto area some \$100 million in expenditures, \$50 million here in the city of Toronto alone. The city of Toronto is enriched by \$50 million as a result of that move.

I'm very happy that the city of Barrie, in partnership with the province, did retain this significant railway corridor. I only wish that we had over the longer period of time in fact kept more of the railway corridors so that in the future we would have the opportunity to bring forward many of the transit options for the future.

I'm happy to tell the member that the chair of GO Transit is going to meet with the chamber of commerce in Barrie on May 24 to talk about this issue. I look forward to working with him and the community of Barrie to meet their needs in the future in this regard.

1540

**Mr Tascona:** Minister, there are a number of transportation studies being conducted in my riding of Barrie-Simcoe-Bradford and in Simcoe county. The proposed Highway 400 expansion through the city of Barrie has drawn considerable attention. The residents of Chieftain Crescent and Ottawa Avenue, along with others potentially affected, are concerned. I am against the expropriation of any resident's home. Minister, what is the status of this Highway 400 study?

**Hon Mr Sterling:** I would imagine that any member representing his riding would be against expropriation of residents' homes. We are going through a planning study for the 400. It's well underway; it's focused on the interchange, safety issues surrounding Barrie and widening improvements.

Barrie is one of the fastest-growing areas in the province of Ontario. We recognize that and we recognize the need not only of the people who live in that community, but the people who pass by that community. We will be fair in terms of the hearings. We will go through all of the proper processes and the citizens of Barrie will have through information sessions, one in June, the opportunity to express their opinions with regard the future of this highway.

### AUTO STRATEGY

**Mr David Christopherson (Hamilton West):** My question is for the Minister of Opportunity, Enterprise and Innovation; I believe that's the new handle.

Minister, I want to bring to your attention that, while I was canvassing for Brian Masse, the new MP in Windsor West, two of the key issues that came up door after door were your plan to privatize Hydro and the concern about the loss of thousands of auto sector jobs and the fact that you have, to date, refused to enter into discussions with the CAW, Navistar, Chrysler and others who have said you've got to bring down an auto policy. I know you've got some little meeting planned, a little get-together, but that's not nearly enough. The point is that your tax cuts and the federal tax cuts have done nothing to stop and prevent the loss of thousands of auto worker jobs to date, and more in the future if we don't do something.

States south of the border are pouring millions of dollars into auto strategies and you won't even acknowledge that we need one. Minister, I raise the need for the people in Windsor, St Catharines, Oakville, Hamilton and Toronto, right across Ontario, to have an auto strategy that effectively ensures investment and jobs. When are you going to step up to the plate and provide the leadership that's called for and save thousands of jobs in the province of Ontario?

**The Speaker (Hon Gary Carr):** Minister.

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** You didn't say the ministry, Speaker. I wanted you to say that big, long name for the ministry. You're not going to say that.

**The Speaker:** The Minister of EOI.

*Interjection.*

**Hon Mr Flaherty:** Yes, it is quite a briefing book, isn't it? It's a smaller one, yes. I don't have those other jobs. I have this and this is it.

The question was about the auto industry, and an important part of the Ontario economy it is. The former Minister of Economic Development and Trade, Mr Runciman, who is here, had discussed issues of course with Mr Hargrove on behalf of the CAW and with our federal counterpart, Allan Rock, the Minister of Industry.

I can tell you in the past week alone, 1,000 jobs at GM Oshawa—a third shift building the Impala in Oshawa. I was there, Buzz Hargrove was there and Michael Grimaldi, the president of GM Canada—great news for Oshawa. Yesterday in Sarnia, UBE, building wheels, opened a brand new plant in Sarnia, Ontario—great news



for southwestern Ontario. Yesterday afternoon in Aliston, Ontario, in Jim Wilson's riding—a new Pilot SUV is being built by Honda.

All of this is good news. I've spoken with Mr Hargrove since taking on my current responsibilities. We're looking forward to the automotive round table next week, May 22, in—

**The Speaker:** Order. I'm afraid the minister's time is up.

## PETITIONS

### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a petition with regard to Bill 134, which will be debated in this House on Thursday. It's entitled Fair Rent Increases Now.

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline increases is growing exponentially, and;

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid."

This has been signed by over 2,000 tenants from across the province of Ontario, and I hope the Legislature will pass Bill 134.

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr David Christopherson (Hamilton West):** I have petitions from my riding addressed to the Legislative Assembly of Ontario that read as follows:

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as

such have the right to have their basic needs met, including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowances of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan); and

"Whereas a new Ontarians with Disabilities Act has yet to be introduced to help protect the thousands of vulnerable people in Ontario who are dependent on others for their basic needs and care and who are eligible for benefits under the Ontario Disability Support Program Act, 1997;

"Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2002 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

On behalf of myself and all my NDP colleagues, I add my name to this important petition.

### EDUCATION FUNDING

**Mr Bert Johnson (Perth-Middlesex):** I have a petition that I'm presenting on behalf of the Honourable Gary Carr, who is prohibited from presenting it himself.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, believe a strong, broadly based and fully funded public education system is the basis for a vital and prosperous Ontario;

"Whereas we, the undersigned, as residents and taxpayers of the province of Ontario, are gravely concerned regarding the present state of financial support for publicly funded schools in the province Ontario,

We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) We respectfully request that immediate actions be taken to review the current education funding model in order to eliminate shortfalls currently being experienced across the province.

"(2) We further respectfully request that this review be conducted in full and open consultation with concerned parent groups, teachers and school boards across the province.

"(3) We finally respectfully request that the upcoming provincial budget be structured so as to provide funds to remedy current shortfalls in classroom-based salaries and benefits, school operations and maintenance, transportation and special education funding as reported by school boards to the Ministry of Education."

I'd like to add my signature to the 922 from the Oakville area.

### LONG-TERM-CARE FACILITIES

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the over 60,000 Ontarians living in long-term-care facilities are older, frailer and sicker and require more care than ever before;

"Whereas government funding has not kept pace with increasing needs of residents of long-term-care facilities;

"Whereas current funding levels only allow limited care;

"Therefore we, the undersigned, petition the Legislative Assembly to ask the government to provide additional operating funding to increase the levels of staffing to an acceptable level of service and to reduce the risk to those individuals living in long-term-care facilities across Ontario."

I've also signed the petition, along with 1,225 from my community.

1550

### ELECTRICITY DEREGULATION

**Mr David Christopherson (Hamilton West):** Again a petition, this time from across Hamilton. It's addressed to the Ontario Legislature:

"Whereas the Harris government's"—now the Eves government's—"plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to maximize profits; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

On behalf of those Hamiltonians I represent, I add my name to this petition.

### DOCTOR SHORTAGE

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and east Oshawa comprise one of the fastest-growing communities in Canada; and

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands and strains on walk-in clinics and emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that the government of Ontario will:

"Do everything in its power to immediately assess the needs of Durham riding and Durham region and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to serve the needs of the community;

"Make every effort to recruit doctors to set up practices in underserviced areas and provide suitable incentives that will encourage them to stay in these communities;

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools and also continue its program to enable foreign-trained doctors to qualify in Ontario."

I'm pleased to support this on behalf of my constituents in the riding of Durham.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserviced area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

I will affix my signature to this very worthy petition.



## LONG-TERM-CARE FACILITIES

**Mr David Christopherson (Hamilton West):** Further petitions from Hamilton West—and let me just thank Helen Tarbak, who took the initiative to provide all of these citizens with an opportunity to sign this petition. She did an awful lot of work and it's appreciated; it makes a real difference.

"To the Legislative Assembly of Ontario:

"Whereas our elderly, chronically ill population in long-term-care facilities deserve competent and compassionate care; and

"Whereas to accomplish this goal, funds need to be allocated to hire more RNs so that each unit in every nursing home is staffed with a minimum of one RN; and

"Whereas RNs in nursing homes should be compensated at the same rate as their colleagues in hospital settings to attract and retain the highly skilled nurses that are needed for this nursing specialty; and

"Whereas the annual inspection of nursing homes by the Ministry of Health, presently required for the basis of the entire year's funding, be replaced by a more flexible system that would more accurately reflect the actual nursing hours and funding required to provide quality care; and

"Whereas increasing the numbers of lower-skilled, unregulated caregivers while decreasing the number of skilled RNs and RPNs has caused physical and mental suffering for nursing home residents, their families and also the staff of the facility; and

"Whereas this is an intolerable situation and a standard for increased numbers of nurses is required;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government take immediate action to resolve these outstanding issues so that residents of long-term-care facilities get the high quality care they deserve."

I proudly add my name to those of these petitioners.

## HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to

private interests—selling the grid means the public sector will no longer be responsible for its security and protection.

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

This petition is signed by concerned citizens such as George and Georgette Devos and Lois Pratt. I too have signed this petition.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves' Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature.

## CRUELTY TO ANIMALS

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislature of Ontario.

"Whereas animal abusers are not currently subject to any provincial penalties;

"Whereas it is currently impossible for a judge to ban puppy and kitten mill operators from owning animals for the rest of their lives; and

"Whereas Ontario SPCA investigators need to act on instances of cruelty to animals in a more timely fashion, thereby lessening the animals' suffering;

"Whereas it is currently not an offence to train an animal to fight another animal; and

"Whereas Ontario's animals are not adequately protected by the current law;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the amendments to the Ontario Society for the Prevention of Cruelty to Animals Act developed by a governmental working group (which included the Ontario SPCA) and submitted to the office of the Solicitor General of Ontario in June of 2001, so that the above conditions, among others, will be properly addressed."

I'm in full agreement and will affix my signature to this petition.

1600

## TIME ALLOCATION

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: I believe I have unanimous consent to move a motion respecting consideration of Bill 90 for this evening.

**The Acting Speaker (Mr Michael A. Brown):** Agreed? Agreed.

**Hon Mr Stockwell:** I move that Bill 90, An Act to promote the reduction, reuse and recycling of waste, be called for second reading debate at the commencement of orders of the day this evening. Upon completion of the debate or at the end of the sessional day tonight, whichever comes first, the Speaker shall put all the questions necessary to dispose of second reading debate of the bill; and that following second reading, the bill be ordered referred to the standing committee on general government for two days of consideration; and that when the bill is reported back to the House, it will be ordered for third reading and that one sessional day will be allotted to third reading debate on the bill; and at the end of such day, the Speaker shall put every question necessary to dispose of third reading consideration.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## ORDERS OF THE DAY

## THRONE SPEECH DEBATE

Resuming the debate adjourned on May 13, 2002, on the motion for an address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session.

**Mr Dalton McGuinty (Leader of the Opposition):** Mr Speaker, I want to start today by taking this opportunity to wish you and the members opposite a happy new year. I hope everyone had a wonderful Christmas break. It's worth noting that for everyone else in Ontario Christmas break ended some four months ago and they all got back to work. Apparently, my colleagues opposite take a more relaxed view of what their work responsibilities happen to be. As my kids might say, what's up with that?

I love that question, actually: "What's up with that?" We Liberals have been asking it a lot recently about all sorts of different things. To be quite honest, we were hoping to have those questions answered, even just some of them, in last week's speech from the throne. Instead, we were left with more questions than we had before. What is up with that?

I don't want to imply that the throne speech wasn't interesting—far from it. There's something almost morbidly fascinating about watching a government try to

answer everyone's questions by not answering any at all. There's something almost painfully amusing about watching someone try to put as much distance as possible between himself and the man whose legacy he fought so hard to inherit. Then there's something almost slapstick about a group of people running around pretending to be different from the last group, when they're all the same people.

It would have been nice if instead of attempting to be something they're not and instead of claiming not to be something they are, my friends opposite simply told the people of Ontario what they are and what they stand for. That's what a throne speech is supposed to be all about.

A case in point is the infamous Hydro One. Surely this soap opera has gone on for too long. The people of Ontario would have liked to have been told exactly what the government plans to do. Actually, the people of Ontario would like to have been told that the government plans to put the whole thing off until after the next election. But what is it that we got from the throne speech? What did the throne speech indicate was going to happen with Hydro One?

I've got to tell you, Mr Speaker, my colleagues and I have spent a few days trying to figure that one out. We're all still scratching our heads, trying to imagine what "bringing market discipline to Hydro One" might mean. I'm pleased to inform you that we have been able to crack the government's code. The throne speech said that the government wants to bring market discipline to Hydro One. It turns out what that means is, "We're going to privatize it as soon as we figure out how to get away with it."

It is painfully clear that this government knows what it wants to do with Hydro One, but it doesn't have the foggiest idea of how to do it. On one side, we have the enterprise minister, whose basic philosophy seems to be that if it's public, it should be privatized. On the other side, we have the energy minister holding public consultations in which people are consulted as little as possible and told in advance that it doesn't matter what they think anyway. Then there's the bizarre—and there's simply no other word for this—spectacle of the government itself filing a document in court last Friday saying that when it comes to privatization, statements made by government members, including the energy minister himself, should be seen to carry no weight.

Selling off a natural public monopoly is a bad idea. There are some Bay Street brokers who stand to make big dollars in commissions, granted, but the rest of Ontarians risk huge increases in their electricity bills. If their bills do go up, they can't take their business elsewhere. There's only the one transmission grid. The new owners will be the only game in town.

My party supports competition in the generation of electricity as an important way to bring on line as and when needed clean and green electricity.

The NDP are quite prepared to prop up the old Ontario Hydro, our province's number one polluter. The NDP



government record, by the way, with respect to controlling Ontario Hydro and its polluting ways is abysmal.

We also support the desire of many of our publicly owned local utilities to generate electricity. The NDP would also shut them out. Our progressive generation policy favours clean and green electricity and locally generated electricity. Sadly, the NDP remain opposed to both.

We do not support handing over to the private sector absolute control of transmitting the electricity that Ontarians need to run their businesses, feed their families and heat their homes. So I say to the government, wait until the next election. Put it to the people. Show them the risk. Explain the benefits, assuming that at one point in time you'll be able to think of any. Lay out the alternatives. Let the people decide. Then do what they say. There's that democracy thing that seems to get in the way for the members opposite.

Listening to people is a part of the job that this government just hates. The other part of the job that this government is no good at is telling people during an election campaign what it plans to do. Nobody opposite, and I mean nobody, ever said anything during the last campaign about selling Hydro One. What that means, to be very specific, is that this government has no mandate to sell this province's transmission grid, no mandate of any kind.

Speaker, as you well know, I grew up in a family of 10 kids. We weren't badly off, but 10 mouths is a lot of mouths to feed. The way that my parents managed was to keep a pretty close eye at all times on the bottom line. It's a way in which my parents and my friends opposite are a little—and I emphasize the word "little"—alike. They, as well, pay very close attention to the bottom line. But here's the difference between my parents and this government, and it's a huge difference. My parents paid attention to the bottom line so they wouldn't have to cut the important things. This government cuts the important things so that it can get to the bottom line.

That, in a nutshell, is what's wrong with selling Hydro One. It's a quick fix, and it's a bad one. They want to make the books look a little better. They need a few billion dollars because there is an election coming and the only way this government can see its way to winning it is to try to restore a few of the services it has cut, to try to undo some of the damage it has done. It won't work but it will cost money. So let's get ready for it: the promises are about to start.

1610

To pay for those promises, this government is prepared to sell off a natural public monopoly. They are prepared to sell off our one and only electricity highway. The government wants to sell off the family silver and they won't even do us the courtesy of seeking our consent. What's up with that? I'll tell you what's up with that: it's a product of exactly the same kind of quick-fix, two-tier, "I'm all right, Jack" thinking that seems to inform all this government's decisions. I say to the people of Ontario, don't be fooled. This government

doesn't do things because you need them; it does things because it needs you. Don't be fooled.

If my friends opposite are really looking for a couple of billion dollars, I know where they can find them. They don't have to sell off Hydro One; they just have to tell their friends on Bay Street that the \$2.2 billion in corporate tax breaks they were expecting is something that we just can't afford. Think about it: \$2.2 billion in corporate tax cuts, with medicare in peril, with public education on its knees, with our cities struggling, with our environment going virtually unprotected.

The truth is that this government is terrible with money. They don't seem to understand that the best time to prepare for bad times is during the good times. Did they really think that the economy would just continue to expand indefinitely, like some magic balloon? Have they not studied the basics of economic history? Good times follow bad, follow good. It's called the cycle. It's not always nice but it does have the wonderful advantage of being somewhat predictable.

It didn't take a genius to know that eventually there would be a downturn, and in a downturn we need a government with something more in the way of ideas than just slashing corporate taxes. This government has never understood that you don't make money by cutting; you make money by investing. The members opposite have never understood that at the beginning of the 21st century—and this is great news—good social policy is good economic policy.

Do you know one of the major reasons that Ontario businesses are able to compete in today's tough global economy? Medicare. Ontario businesses enjoy what we call the medicare advantage. Businesses south of the border would love an advantage like that but they don't have it and they can't get it. We've got it.

I say to the members opposite, if you want to compete with the US, stop trying to lower corporate tax rates to rival Alabama's. It might make a pretty good line at some of the Bay Street parties. You get to say, "You know, our corporate tax rate is lower than Alabama's," but in the real world there are more important things. If you really want to help Ontario businesses, then help by supporting one of the biggest advantages they have—medicare. And it's not just me saying this. The business community is saying the same thing. Just recently the Ontario Chamber of Commerce announced that it's going to lobby this government for health care reform that preserves the universality and affordability of the current system. It turns out that at the end of the day business and families are on the same page when it comes to medicare. We are all worried by this government's lack of commitment.

Let me talk for a minute about two tiers, because our new Premier is getting quite a reputation for his two-tier thinking: Bay Street versus working families; big corporations versus small, unimportant businesses; private schools versus public schools. I'll get back to that one shortly. But first there is that little jaw-dropper that he floated during his recent leadership campaign. You'll

know what I'm talking about. That's the one where he said a second tier of health care should be on the table.

We on this side of the House were looking for a clear repudiation of that in the throne speech and we didn't get it. Ontarians were looking for a clear repudiation of that and they didn't get it. Instead, they got Ernie Eves's code for two-tier health care dressed up with fancy words like "innovative." He's not as upfront about it as he was earlier this year, but that's because he knows that people don't want anything to do with two-tier health care. But because they plan to bring it in anyway, the objections of the people of Ontario who elected them notwithstanding, they inserted it into the throne speech in code.

So I say to the people of Ontario one more time, don't be fooled. If this government believed in our public health care system, if it maintained honestly that it was against two-tier medicine, it would have said so unequivocally in this throne speech. If this were all one big board game, I'd be admiring my friends opposite for how devilishly cleverly they play their game. But it's not a board game, it's the real thing, and the people of Ontario are at risk.

This government is willing to consider two-tier health care because it's a product of the same kind of "I'm all right, Jack" thinking that I referred to earlier. Rich people get health care faster. That must be good, right? No, actually. This government is walking away from its basic responsibility to improve health care for all Ontarians, not just the wealthy.

Instead of undermining and dismantling the system, my party wants to improve it for everybody. So we would scrap that \$2-billion tax break for corporations. We have a better use for that money. We want to move ahead with primary care reform, creating what we think is going to be the most effective system of primary health care in the world. That plan includes more doctors and nurses and greater accessibility to them for all our families. Studies now in Ontario are telling us that one in four Ontarians finds it difficult and sometimes impossible to find a family doctor. From our perspective, that is absolutely unacceptable. So we're going to establish community-sponsored family health centres around Ontario. Dozens of Ontario communities are eager to get on board. These are going to improve access to quality care while reducing the cost of specialized care and hospital use. It's a win-win plan. It's the kind of idea that Ontarians are looking for from their leaders.

They're not looking for two-tier medicine. They're not looking for a government that chases thousands of nurses out of the province with its wrong-headed policies. They're looking for a government that's going to fight for something that helps define us as a nation, that gives expression to us at our very best, this wonderful concept that says, "It doesn't matter how much money you've got in your family; if you are sick, we are there for you and we will care for you." I can tell you that, whether in opposition or in government, we will never stop defending medicare, while looking for ways to improve it.

The government recently made this announcement that it's going to finally fund this very important treatment, specifically a drug called Visudyne. Visudyne is a drug that stops people, particularly seniors, from going blind. We're the last province, by the way, to sign on to funding Visudyne for our seniors. You may recall the case of one Mrs Thurston. Mrs Thurston came to Queen's Park. I recall going over here to the gallery and chatting with her. She told me she was 73 years of age, I think it was. She had been widowed much earlier and she had raised her three kids on her own. She worked as a store clerk. She was one of those salt-of-the-earth Ontarians: she played by all the rules, paid her taxes, raised her family, did as good a job as she could. So she came to Queen's Park and I made her case for her. I presented the case to the Minister of Health. I said, "Mrs Thurston here"—she had already lost sight in one eye at that time—"is going blind in her remaining eye and it seems to me if you've got a couple of billion dollars for tax breaks for corporations, we can come up with the money for Visudyne to keep her sight." Do you know what the Minister of Health said?

1620

**Mr David Caplan (Don Valley East):** What did two-tier Tony say?

**Mr McGuinty:** Two-tier Tony Clement said that she should fundraise in order to get the money necessary to save her sight. Do you know what Mrs Thurston ended up doing? Back in her very small Ontario community they held a dance. Think of that: they held a dance and they raised money so that she could get the treatment. Now the government would have us laud them for their decision just recently to fund Visudyne.

So I say to Ontarians, the government is not funding Visudyne because you need it; the government is funding Visudyne at this time because it needs you. It wants your support. I offer the same counsel to Ontarians as I have several times already in this speech: don't be fooled.

It shouldn't have been particularly complicated for the government to figure out that every person has the right to safe drinking water, but as the people of Walkerton could attest, that's a concept that the finance minister, now Premier, Ernie Eves was a little hazy on. That's the kind of thinking I referred to earlier. I want to be clear about this: I'm not advocating big government. I don't think government should do everything. But I believe there are some things that government must do, and it must do those things well. One of those surely is ensuring the safety of people's drinking water. The Walkerton report made it very clear: in its ideological commitment to the bottom line at all costs, this government walked away from its fundamental responsibility to the people it has the privilege of serving. People got sick because of that. People died because of that. Well, I'm glad to hear now that the government plans to adopt the recommendations of the Walkerton inquiry. Just imagine how different the history of this province would have been if this government had been as willing to listen to advice before people started getting sick and before people



started dying. I guess we have to conclude that if the government accepts the inquiry's recommendations, they must also accept the inquiry's findings that they were partly to blame. That being the case, we should have heard at least some semblance of an apology from the government in the throne speech, but we did not.

Government can't be all things to all people. It cannot possibly do everything. We've seen examples of governments trying to do that. Far from doing everything, they end up accomplishing almost nothing and they end up breaking their promises in the process. But government must do some things. You can't claim to represent people and then do nothing for them. You can't claim to represent people and then set about tearing down the vital institutions that generations of Ontarians have put into place and that these people were elected to protect.

That's what this government did with the water supply in Walkerton. That's what this government has done in health care. That's what this government is doing with Hydro One. And that's what this government has done in education.

Do you know what line I personally liked best in the throne speech? It's the one that read, "Ontarians have said they do not want classrooms ... to be battlegrounds. Your government has heard that message." Is that all it took? You just needed Ontarians to explain to you that going to war with the province's teachers was maybe not the best thing? Well, maybe someone should simply have explained that safe drinking water is a good thing.

But really, what do we take from that particular line I just quoted? That this government spent seven years humiliating and alienating teachers because they assumed everybody thought it was somehow a good idea? The fact is, if as a government you've spent seven years at war with the people who impart knowledge to our children, then you have pretty much screwed things up. We're sending our kids out into a very tough, very competitive world. It's a world that rewards education and very little else. It would be nice to think that heart and determination would be enough, but usually they are not, today. You need to be educated. For our kids to compete in today's tough global economy, they need to be skilled, they need to be educated. For Ontario to compete in today's tough global economy, it needs a skilled, educated workforce. For that, Ontario needs good schools. It needs strong schools.

I've talked about the government's obsession with the bottom line. Well, I've got a bottom line of my own. The way it works with me is this: every dollar that I will spend in government, I expect to get something back; I expect results. That way, you're not really spending, you're investing. That applies to budgeting my money in my home and it certainly applies to budgeting the people's money in government.

Right now, this government is spending too little on Ontario's public education system and it's investing badly. How do I know that? Easy. Because results, outcomes in education, are not what they should be. Half of our kids are failing to meet the basic standard in reading,

writing and mathematics. That is not how you prepare kids to join a skilled, educated workforce. You can't blame the schools and you can't blame the teachers, though my friends opposite have tried. The fact is, the system is reeling under the weight of this government's endless cuts. It's a miracle to me that it continues to operate at all.

I would urge the members opposite to subject themselves to a bit of a reality check when it comes to public education. Take a long, hard look at what you've accomplished during the past seven years. Take a walk through some of our schools. Take a look at the messy hallways. Closely examine the dirty washrooms. Find out how many kids are sharing textbooks because the school can't afford enough for everyone. Count the number of adults supervising the hallways, because there are a lot fewer than there used to be.

Find out if there are special-needs students at the school you're visiting, and see if they are among the 35,000 kids in our province still waiting for a critical psychological assessment. I guess they would be the same special-needs young people the throne speech assured us would be a government priority. I can tell you that 35,000 kids and their parents know that's a great big joke.

These are all problems facing our schools today. What is this government's response to this? How does our two-tier Premier want to solve the funding crisis in public education? He wants to give half a billion dollars to private schools. That's right: he wants to give 500 million taxpayer dollars to schools that most taxpayers couldn't afford, even if they wanted to.

**1630**

So I say again to the people of Ontario, don't be fooled. My friends opposite can wax poetic about a new era. There will be flowers blooming and kids playing soccer in all the fields. But these are the same two-tier Mike Harris Tories that they have always been. Don't be fooled.

As you know, in addition to being leader of my party, I have another, more important responsibility: I'm a parent. And Terri and I are just like other parents: we want the world for our kids. The world under a Tory public education system is a world that is letting them down. So let me be very clear. That half-billion dollars? A Liberal government would use it for our public schools, because that's where it's needed.

We are on record, I am proud to say, with a plan that would improve our schools and improve our kids' chances of succeeding after school. We're going to do something that will be extraordinary, in contrast to this government. We're going to take responsibility for bringing about improvement in student achievement. We're not going to blame the teachers, we're not going to blame parents, we're not going to blame the trustees, we're not going to blame anybody else out there, and we sure as heck won't blame our kids. We're going to take responsibility for bringing about improvement in education. That \$500 million they would invest in private schools

will more than pay for a central part of our plan: an absolute cap on class sizes in the lower grades.

This government has permitted some classes to swell today in Ontario to as many as 31 kids or more. That's how kids get lost in the crowd. That's how kids fall through the cracks. Big classes mean overworked teachers don't spot and help problem kids. Big classes mean overworked teachers don't spot and encourage gifted students. Big classes are bad classes.

My plan also involves a curriculum that combines a strong core with flexibility. The basics must be and will be taught, but schools that want to will be freed up to innovate. Schools that innovate successfully will be given the mandate and the resources to teach other schools how they did it. Our lighthouse schools program is all about good schools lighting the way, showing other schools how it is done.

These are the things that a Liberal government would do to improve our kids' academic results, to help them learn. But kids can't learn in schools that are not safe, and more and more schools these days just aren't safe. So for that reason I recently announced several measures to help make our schools safer places for kids to play and learn and develop. They include funding for surveillance cameras in schools that don't have them but would like to have them. There has been some misinformation in this regard and I want to take the opportunity to clarify that.

We will make resources available so that schools that wish to avail themselves of it can, if they wish to do so, install a video surveillance camera. The problem we're trying to address here is that of intruders. Unfortunately, there are growing numbers of unwanted people getting inside our kids' schools. There was a case here recently in the city of Toronto where a grade 2 girl was sexually assaulted when an unwanted intruder snuck into the school, unbeknownst to the administration, unbeknownst to the staff, and laid in wait inside the girls' washroom. Some schools are constructed in such a way that it is virtually impossible to tell whether somebody is coming into the school. If those schools think it will help make their kids safer by installing video surveillance cameras, we'll be there for them; we'll make sure they can do that.

The other safety measures I announced last week deal with bullying. We're going to have to do for bullying what we did for drinking and driving. We're going to have to make it unacceptable. I'm no longer talking about when a big kid picks on a smaller child, which may be the stereotype many people have of bullying. Modern-day bullying is more akin to prolonged tormenting. It can cause serious harm to our children. In worse cases it can lead to depression. There have been three cases of young people in Canada who have committed suicide as a result of prolonged bullying. Bullying is a real issue in our schools today. A recent study put out a couple of weeks ago here in Ontario tells us one in four students—this is a study of grade 7 to OAC students—had been the subject of bullying.

A Liberal government will make anti-bullying programs mandatory for every school in the province. These

programs will be designed at the school community level, drawing upon models that have enjoyed success in other jurisdictions. As well, we will implement a school safety hotline so that parents and students have somewhere to turn, someone to speak to, in the event that situations begin to develop in schools that they don't know how to deal with.

We are all sadly familiar with these tragedies that have taken place in some parts of our country and south of the border, and more recently in Europe, where some child enters a school with a weapon and goes on a killing spree. When they reconstruct those scenarios they virtually always come to the same question: "How could we possibly miss all those telltale signs? Everybody knew something was going to happen here." The school safety hotline is all about ensuring that there is some kind of outlet for somebody to get on the phone and say, "Listen, I think there's something here that you should take a look at." I believe that kids have a right to feel safe when they head off to school. I also believe that parents have a right to feel safe watching their kids head off to school.

The other announcement I made last week involved something that we call character education. In a nutshell, that involves working into the curriculum those values and attributes that the school community feels are important. Naturally there was some criticism from certain quarters that I am trying to impose certain values on our children. That's not so. I wouldn't do it, and it wouldn't work if I tried. Unlike the people making that criticism, I'm not afraid of standing for something either. Some people shy away from using the word "values." I don't. There are certain values that are universally accepted as good, as desirable in our citizens. The members opposite are surely familiar with a few of them. I'm talking about things like respect, responsibility, honesty and fairness. Those aren't things that you impose; those are things that you teach, encourage and foster.

Through our character education program, all school boards will be required to come up with their own shared values. The York region school board is leading the way in Ontario in this regard. They brought together teachers, students, parents and representatives of various faiths, the business community and municipal government. They brought them together over the course of three separate sessions. This is what that community settled on when it comes to their values they want to instill in their young people. Listen to these: honesty, respect, responsibility, fairness, perseverance, initiative, integrity, courage, optimism, empathy.

1640

Do you know who said it best? Martin Luther King Jr said it best. He said, "We must remember that intelligence alone is never enough. Intelligence plus character: now that is the goal of true education." That is what our character education is all about.

The money spent on the education measures I have just outlined is money well spent; it's money invested. Money invested in our schools is money invested in our citizens. It is money invested in a skilled, competitive



workforce. It's money invested in our future, and when you invest in the future, when you invest well in the future, you're doing your job as a government. This government is no longer doing its job. I'm not certain it ever did and I certainly know it's not doing that now.

There can be no better proof of that than what passed for a speech from the throne last week. That was a feeble document. I'll be honest: we weren't expecting much. But even so, there were four things we were hoping for on behalf of Ontario, because apart from everything else, we live here too.

We were hoping to hear the government state in no uncertain terms that it was putting off the sale of Hydro One until at least after the next election, but we heard nothing of the sort.

We were hoping to hear that the government would state in no uncertain terms that the \$2-billion corporate tax cut was off the table, but it's still sitting there.

We were hoping to hear the government state in no uncertain terms that it would not be giving half a billion dollars to private schools and instead it would dedicate itself to solving the myriad problems facing public schools. We didn't hear that either.

And we were hoping to hear the government state in no uncertain terms that, the comments of two-tier Ernie notwithstanding, two-tier health care would not be an option for Ontario. Well, guess what? Under this government, two-tier health care is an option for Ontario.

All in all, the throne speech really told us nothing new but it told the people of this province exactly what they need to know. It told them that they shouldn't be fooled. This government wants to be a government for the sake only of being a government. There is no real sense of mission over on the other side. There is no sense of, "This is what we want for our province." And as a mission statement, "This is what we want for Bay Street," just doesn't cut it. This government has spent seven long years selling itself to the people of Ontario on the grounds that it is tough but fair. I say they have long since lost sight of what fair is, and if they were really tough they wouldn't kowtow to Bay Street at the expense of Ontario's working families.

My party, the Liberal Party of Ontario, is committed to Ontario's working families and we are committed to small business. And do you know what? We're committed to big business and Bay Street as well. We just don't believe in favouring any one group over another. Government exists, from our Liberal perspective, to serve all the people. It exists to preserve and to strengthen the institutions that people depend on. To do otherwise is to betray a fundamental responsibility.

I can tell you, we will never do that. Our party will never do that. We will never walk away from our fundamental responsibilities. Instead, we will embrace them. Thank you very much.

Mr Speaker, I would like to present an amendment to the government motion to the throne speech, and that amendment reads as follows:

That the address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session be amended by striking out all the words after, "We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled," and substituting the following:

"Whereas working families in Ontario deserve a government that will provide them with accessible health care, the best public education system in the world, a clean environment and a strong economy;

"Whereas the speech from the throne proved that the Eves government will continue to support the failed policies from the Harris regime, such as two-tier health care, private school tax credits, corporate taxes lower than Alabama's, compromised environmental protection and the privatization of Hydro One;

"Therefore, this House profoundly regrets that nothing has changed. The Eves government is out of touch with the people of Ontario and will continue to adopt policies that cater to their friends on Bay Street rather than hard-working Ontario families."

I so move, Speaker.

**The Acting Speaker (Mr Michael A. Brown):** Mr McGuinty has moved an amendment to the government motion to the throne speech that reads as follows:

"That the address in reply to the speech of His Honour the Lieutenant Governor at the opening of this session be amended by striking out all the words after 'We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled' and substituting the following:

"Whereas working families in Ontario deserve a government that will provide them with accessible health care, the best public education system in the world, a clean environment and a strong economy;

"Whereas the speech from the throne proved that the Eves government will continue to support the failed policies from the Harris regime, such as two-tier health care, private school tax credits, corporate taxes lower than Alabama's, compromised environmental protection and the privatization of Hydro One;

"Therefore, this House profoundly regrets that nothing has changed. The Eves government is out of touch with the people of Ontario and will continue to adopt policies that cater to their friends on Bay Street rather than hard-working Ontario families."

Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** Speaker, I move adjournment of the debate.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 6:45 of the clock.

*The House adjourned at 1648.*

*Evening meeting reported in volume B.*

# CONTENTS

Tuesday 14 May 2002

## MEMBERS' STATEMENTS

<b>Post-secondary education infrastructure</b>	
Mrs Bountrogianni .....	53
<b>St Marys municipal administration</b>	
Mr Johnson .....	53
<b>Assistance to farmers</b>	
Mr Peters .....	53
<b>Investments in Northumberland</b>	
Mr Galt .....	54
<b>Welfare reform</b>	
Mr Gravelle .....	54
<b>Long-term-care funding</b>	
Mr Christopherson .....	54
<b>Durham Region Community Care</b>	
Mr O'Toole .....	54
<b>Premier's attendance</b>	
Mr Smitherman .....	55
<b>Health care investments</b>	
Mr Tascona .....	55

## FIRST READINGS

<b>Sir John A. Macdonald Highway Act, 2002, Bill 18, Mr Gilchrist</b>	
Agreed to .....	56
Mr Gilchrist .....	56
<b>Registered Plan Exemption Act (Retirement Savings and Education Savings), 2002, Bill 19, Mr Cordiano</b>	
Agreed to .....	56
Mr Cordiano .....	56

## MOTIONS

<b>Private members' public business</b>	
Mr Stockwell .....	57
Agreed to .....	57
<b>Business of the House</b>	
Mr Stockwell .....	57, 60
Mr Phillips .....	57
Mr Kormos .....	59
Agreed to .....	61
<b>Time allocation</b>	
Mr Stockwell .....	76
Agreed to .....	76

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr McGuinty .....	63, 64, 67
Mr Stockwell .....	63, 64, 67
Mr Bryant .....	67

<b>Electricity market price study</b>	
Mr Hampton .....	65
Mr Stockwell .....	65
<b>Bruce generating station</b>	
Mr Hampton .....	66
Mr Stockwell .....	66
<b>Grape and wine industry</b>	
Mr Maves .....	67
Mr Hudak .....	68
<b>Ministry spending</b>	
Ms Di Cocco .....	68
Mr Stockwell .....	68
<b>Social assistance</b>	
Mr Hampton .....	69
Mrs Elliott .....	69
Mr Martin .....	69
<b>Competitive electricity market</b>	
Mr Conway .....	69
Mr Stockwell .....	70
<b>Affordable housing</b>	
Mr Gilchrist .....	70
Mr Hodgson .....	70
<b>Long-term-care facilities</b>	
Mr Gerretsen .....	71
Mr Newman .....	71
<b>GO Transit</b>	
Mr Tascona .....	72
Mr Sterling .....	72
<b>Auto strategy</b>	
Mr Christopherson .....	72
Mr Flaherty .....	72

## PETITIONS

<b>Affordable housing</b>	
Mr Caplan .....	73
<b>Ontario disability support program</b>	
Mr Christopherson .....	73
<b>Education funding</b>	
Mr Johnson .....	73
<b>Long-term-care facilities</b>	
Mr Cleary .....	74
Mr Christopherson .....	75
<b>Electricity deregulation</b>	
Mr Christopherson .....	74
<b>Doctor shortage</b>	
Mr O'Toole .....	74
Mrs Dombrowsky .....	74
<b>Hydro One</b>	
Mr Hoy .....	75
Mr Lalonde .....	75
<b>Cruelty to animals</b>	
Mr Peters .....	75

## THRONE SPEECH DEBATE

Mr McGuinty .....	76
Debate adjourned .....	81

## OTHER BUSINESS

<b>Visitors</b>	
The Speaker .....	55
<b>Legislative pages</b>	
The Speaker .....	55
<b>Wearing of hockey jerseys</b>	
Mr Sterling .....	56
Mr Bisson .....	56
Mr Smitherman .....	56
Mr McMeekin .....	56
The Speaker .....	56
<b>Government report</b>	
Mr Bradley .....	56
<b>Correction of record</b>	
Mr Wettlaufer .....	57
<b>Member's birthday</b>	
Mr Prue .....	57
<b>Edward Good</b>	
Mr Witmer .....	61
Mr Conway .....	61
Mr Kormos .....	62

## TABLE DES MATIÈRES

Mardi 14 mai 2002

## PREMIÈRE LECTURE

<b>Loi de 2002 sur l'Autoroute Sir John A. Macdonald, projet de loi 18, M. Gilchrist</b>	
Adoptée .....	56
<b>Loi de 2002 sur l'exemption des régimes enregistrés (épargne-retraite et épargne-études), projet de loi 19, M. Cordiano</b>	
Adoptée .....	56



CA2 ON

X1  
-023



Government  
Publications

No. 3B

N° 3B

ISSN 1180-2987

Legislative Assembly  
of Ontario

Third Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 14 May 2002

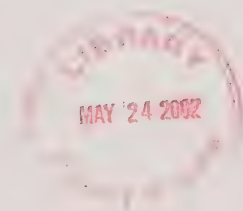
Mardi 14 mai 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

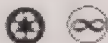
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 mai 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### WASTE DIVERSION ACT, 2001

#### LOI DE 2001 SUR LE RÉACHEMINEMENT DES DÉCHETS

Resuming the debate adjourned on December 10, 2001, on the motion for second reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste / *Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.*

**Mr Rosario Marchese (Trinity-Spadina):** I want to welcome the public back to this political forum at a quarter to 7 on Tuesday. I just wanted to welcome all of you back. I know that many of you missed the Conservative ranks in particular for sure. Some of you missed some of us on this side. I know that as well because travelling around they know who we are. That's about all I really wanted to say to welcome you back.

This Bill 90 is an OK bill. It talks about recycling, hardly revolutionary stuff. So don't let the Tories convince you that somehow they're doing something great for the environment. Recycling is better than nothing. There's nothing about reduction, reusing, composting, or very little. But it's an OK bill and we're likely to support it.

We're going to get out early. I'm cheering for Toronto. Ottawa is an OK place. There are a few places there where I go to eat every now and then, but I'm cheering for Toronto.

**The Acting Speaker (Mr Michael A. Brown):** Questions and comments?

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I'm cheering for the Ottawa Senators.

**The Acting Speaker:** Questions and comments? Response.

**Mr Marchese:** I'm cheering for Toronto, Speaker. It's a good team. You saw them play. They work hard. In spite of all those players who have been injured, Toronto comes back and wins, 3-3. We are going to win. We get nods from our Liberal supporters. In Sudbury, they know the game.

**The Acting Speaker:** I'm going to have to bring you back to the bill.

**Mr Marchese:** Bill 90 is an OK bill on recycling. It has nothing much to do with reduction, reusing, composting, or very little, but we've got to support it. The cities support it.

**The Acting Speaker:** Further debate?

**Mr David Christopherson (Hamilton West):** I'll try to muster as much enthusiasm as my colleague from Trinity-Spadina for this bill, because really it's a motherhood subject matter. But it's not that great a bill; it really isn't. There are an awful lot of things that could have been in here that aren't.

Let's see now. If this goes the way everybody's thinking—it's 10 to 7 now. I think they're dropping the puck at 7. I've got nine minutes, 40 seconds. I may be the last speaker, except Bradley. We're not sure about him. He may need part of his two minutes, because it's Jim.

**Mr Marchese:** He's not here.

**Mr Christopherson:** He'll be here; this is the House.

**Hon Mr Baird:** Don't criticize Jim.

**Mr Christopherson:** I wasn't criticizing him, but I'd like you to tell me that's not his character. That is his character.

**Hon Mr Baird:** He's a hard worker.

**Mr Christopherson:** A very hard worker, so hard he wants to come in here and speak for that two minutes. Anyway, my point is that after that, likely we'll be adjourning the House. So given everything that's going on, I grant to the government members opposite that there's probably not a whole lot of people watching. There are those who care passionately about what happens in provincial politics. They care passionately about what happens in their communities.

Certainly, there are a growing number of Ontarians who consider environmental protection to be, if not the biggest priority in this province, certainly right near the top. Once again, though, the premise of the bill, at the end of the day, is that municipalities will do all the work. The province wants to stand back and say, under Bill 90, "You, municipality, have responsibility for this and you have to do that and you have to do another thing." It's always the municipalities. That in and of itself is not necessarily problematic. We see an evolution or almost a devolution of responsibilities from the province to municipalities. Because of the restructuring that's happening in a lot of communities, they're attempting to equip themselves with these added responsibilities. Fine so far, but this bill, like most bills that involve and affect municipalities, comes with a whole list of things that have to be done and very little money to do it with.

1850

This government has been talking about bringing in a bill like this for seven years, and here we are tonight, second reading on, at best, a mediocre bill. Meanwhile, municipalities like Toronto, Guelph and certainly my own hometown of Hamilton have been playing the leadership role in standing back and saying, "We've got to manage the waste stream and we've got to do it a lot more effectively because, quite frankly, we don't have the landfill to keep stuffing waste into. We have no interest in burning it. We have no interest in putting it on a truck or a train and sending it away." At the end of the day, each municipality is going to ultimately be responsible for the waste that they generate.

Councillor Andrea Horwath from Ward 2, which is part of my riding of Hamilton West, led the charge in Hamilton. I think that anybody who looks at the plan in Hamilton will agree that it's responsible, it's accountable, it's doable, but make no mistake, it's a challenge. They sure could use a partner, especially a partner with more levers of power and more access to funds. This is the government that downloaded responsibilities—I'll use my community as an example—to Hamilton and didn't give them the money. The current tab, I'll advise members of the government, is a little over \$40 million a year. Not a one-off: \$40 million last year, this year, next year and on.

Here we have a situation where more responsibilities are being placed on municipalities and they are recognizing their own need to determine each community's own future and less and less money to do it. The funding in this bill says, by the way, after agitation from our environmental critic, Marilyn Churley from Toronto-Danforth, that they'll pay 50% of the cost. Before it was up to 50%, now we're at 50%. What we would like in the NDP is for the words in the law to read "at least 50%." You've got a community like Halifax, for instance—another province, I grant you—a municipality that's taken a huge leadership role in dealing with their own waste. They've gone above and beyond certainly anything in their province and, in large part, beyond anything anybody else has actually implemented. There are plans in Toronto and Hamilton that are as good or even more far-ranging, but in terms of actually being implemented and underway, they're way out in front.

If a community like mine, like Hamilton, wanted to continue to be responsible and aggressive in this area, by leaving out the words "at least 50%" and leaving it at just 50%, you deny an opportunity for municipalities that want to play a greater leadership role that's going to benefit all our communities.

Why is it so difficult for this government to live the words that they're prepared to speak here. You talk about partnership but you treat municipalities like they're a distant relative you don't ever want to hear from. Why don't you live up to your words that you want an equal relationship? Why is that so difficult, at the end of the day?

Bill 90 also—I don't have a lot of time. I'm down to three minutes and 15 seconds. What is interesting and disappointing is that there are very few—school children, my own daughter, 10 years old in a couple of weeks, knows the three Rs. You don't put it in the bill. You don't make "reduce, reuse, recycle" mandatory in the bill. What does it say? This great environmental bill that you brag about says, in section 24, "A waste diversion program ... may include ... activities to reduce, reuse and recycle...." Not "shall," not "will," not "are required to," not "must," not even "obviously" in the preamble. No, "may."

If you're not going to be very clear about the three Rs, just how serious are you in effecting any real change? Or is it as we suspect, that you once again want to do as little as you can, pay as little as you can and then take as much credit as you can for issues like the environment?

*Interjection.*

**Mr Christopherson:** I want to remind my friend across the way who is heckling me—and I would think that since you represent the Walkerton area the environment would be an issue that you'd want to speak more to, rather than just heckle people who are trying to improve this lame bill.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** You may think it's lame.

**Mr Christopherson:** Let me put it in context. An article written by Lynda Lukasik—

*Interjection.*

**The Acting Speaker:** The member for Bruce-Grey-Owen Sound will come to order.

**Mr Christopherson:** Thank you, Speaker. That would be, of course, the member who represents Walkerton.

Lynda just recently received her PhD, her doctoral degree in planning, from the University of Waterloo, and we congratulate Lynda on that personal life achievement. But she wrote an article in the Hamilton Spectator on April 29, just a couple of weeks ago: "Right now, out of a total of 425 environmental officers at work in the province, 99 are temporary workers. Of the 210 individuals working in environmental approvals, 65 are temporary." This is after you gutted the budget and this is after you gutted the staff. This is the staff that's left over.

One would think that in light of the responsibility this government has—their share, and it's a big one—for the tragedy in Walkerton, anything that had to do with the environment would be the best in Canada, the best in North America. Instead, more drivel coming from the government.

**The Acting Speaker:** Questions, comments?

**Mr James J. Bradley (St Catharines):** The sad part is that I'm limited this evening to two minutes for the entire evening, which is in itself tragic in terms of the legislative process. I do want to say this. First of all, you know how the government puts people up to phoning our offices to say, "You've got to pass the bill"? I ask all those people who are watching tonight, and not watching the hockey game—all three of them—why they didn't write to the government to ask the government why they



didn't bring the Legislature back in January when the federal Parliament was back in session. The House of Commons was back in session in January. It's the month of May, and finally in the middle of May this Legislature, which didn't sit since last December, is back in session.

I was scouring the editorial columns of the newspapers to see if there were any protesting editorials. Then I went to the columnists and I said, "Surely a hard-edged columnist will say something." Then I listened to the cranky talk show hosts to see if perhaps they were condemning the government. Nowhere could I find them condemning the government for not sitting for five months.

If it was the federal House, if it was Ottawa, if it was the press gallery in Ottawa and Parliament Hill, there would be a huge uproar. Duffy would be on CTV with—who's the Tory?—Ken Shaw, lobbing the question to him. And the National Post would be outraged with banner headlines. Instead, we have acquiescence around here as though this is some country club.

The member for Hamilton West is absolutely right. This is a weak bill which could be much stronger, but at least it's going to go to general government committee for a couple of days. We'll have some more analysis and maybe a conversion on the road to Damascus on the part of the government.

1900

**Hon Mr Baird:** I was surprised that the member for Hamilton didn't want to wish the Ottawa Senators well in the game against the Toronto Maple Leafs tonight.

**Mr Marchese:** I congratulate my colleague from Hamilton West for his remarks and, as usual, they were very strong, clear and critical. Because the government would usually love us to speak for just a little short while and say, "Oh, isn't this bill great?" and, "Why is the NDP so opposed to these wonderful bills?" In the nearly 10 minutes, the member for Hamilton West offered some critical analysis of the bill. That's why you need—

**Mr Bradley:** He eviscerated it.

**Mr Marchese:** Eviscerated—in a visceral manner—the bill. But that's what we're supposed to do in opposition, right? But the government would prefer that we just pass it along and simply tell the public, "Isn't this a great, revolutionary environmental bill?" It's just a little bill on recycling and they want to take so much credit for it. In a mere short 10 minutes, the member for Hamilton West offered you a little critical analysis, Bill, the member for Bruce-Grey-Owen Sound, that you might—

**Mr Murdoch:** I listened to it.

**Mr Marchese:** I know. You were listening very well. But the point is we need these debates all the time, and mercifully we get those 10 minutes, those 20 minutes, from time to time to be able to do that.

So I was happy to listen to the member for Hamilton West. I know the audience from Hamilton watches David Christopherson. I know other people from across Ontario wait to listen to the member from Hamilton West with eagerness.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** He's a bulldog.

**Mr Marchese:** David, he accused you of being a bulldog. That's what people want. They want a member who is like a bulldog, tenacious against the vagaries of this government, the inanities of this government, the delusions of this government. You need a bulldog for that. You don't need a lapdog, the way we have with so many members across the way. There are so many lapdogs on the other side. You need the warriors on this side. That's what we're here for.

I support Toronto, David, and I hope Toronto wins tonight.

**The Acting Speaker:** Response?

**Mr Christopherson:** Not everyone here fully understands the bulldog comment, but let me just say that I'll keep the bulldog title if we can keep the team, quite gladly.

My friend asked why I didn't say that I was supporting the Ottawa Senators. I would just remind the member that Hamilton is not very far from Toronto. So for those who are supporting Toronto, the fact that we live so close is the reason; and for those who are supporting Ottawa, it's because we're so close to Toronto. That is the reason. So Hamilton is rather split on the question of the game tonight.

In the last minute I have, let me just also add that the government in Bill 90 speaks nothing to composting. One of the key ingredients, certainly in the Hamilton proposal—and this is going to involve a lot of public education and public involvement to make it work, but there's a whole section of the plan that speaks to composting. Boy, you know it would sure make life a lot easier for municipalities like Hamilton that are trying to deal with the entire breadth of this issue if you'd deal with all aspects that municipalities are looking at in order to reduce what's going into the waste stream before it ever gets in there. I mean, that is the best, isn't it: prevention? But you don't acknowledge it. There's no money, there's no planning, there are no guidelines, there's no support, and when it gets to committee, if there's any chance to correct that, you should.

The second thing is that on the board of Waste Diversion there's going to be, as we understand it, at least eight members from industry and four from municipalities. Eight industry, four municipalities. Who's responsible for designing and implementing the entire plan and monitoring it? Municipalities. What's with that?

**The Acting Speaker:** Further debate?

**Mr Murdoch:** On a point of order, Mr Speaker: I'd just like to inform the House that when Ottawa beats Toronto tonight, it will be because of Chris Neil, who's from the Bruce-Grey-Owen Sound area. I just want them to know that.

**The Acting Speaker:** As you might know, that is not a point of order. Further debate?

Mr Stockwell has moved second reading of Bill 90.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. The motion is carried.

Pursuant to the order of the House debated earlier today, this bill stands referred to the standing committee on general government.

Orders of the day?

**Hon Mr Baird:** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1906.*





## CONTENTS

Tuesday 14 May 2002

### SECOND READINGS

#### Waste Diversion Act, 2001,

Bill 90, *Mrs Witmer*

Mr Marchese ..... 83, 85

Mr Baird ..... 83, 84

Mr Christopherson ..... 83, 85

Mr Bradley ..... 84

Agreed to ..... 86

## TABLE DES MATIÈRES

Mardi 14 mai 2002

### DEUXIÈME LECTURE

#### Loi de 2001 sur le

réacheminement des déchets,

projet de loi 90, *M<sup>me</sup> Witmer*

Adoptée ..... 86



CA20N  
X1  
-023

Government  
Publications



No. 4

N° 4

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

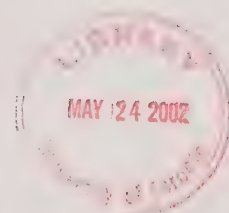
Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 15 May 2002

Mercredi 15 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 15 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### AMBULANCE SERVICES

**Mr Dominic Agostino (Hamilton East):** I rise today to express my concern about a report from Hamilton in regard to the dispatch services for ambulances in the Hamilton-greater Niagara-Grimsby-Brant area. This report, which was tabled and given to the government in October of last year, is an indictment of this government's failure to properly fund ambulance dispatchers across Ontario. What is more disturbing, Speaker, is that this government had this report in its hands at the end of October. It was only released in the last few days.

This report talks about delays in ambulances being sent out; this report talks about the fact that ambulances were sent to wrong addresses; this report talks about the fact that the dispatch service was badly understaffed; this report talks about the fact that computer systems were badly outdated.

What does this government do? They hide it. They sit on this report. There are at least two deaths in the area attributed right now to delays in ambulance response. This government, instead of coming clean with the public of Ontario, sat on this report, failed to act and now is giving us some feeble excuse as to why they let down the people in the Hamilton-Niagara area.

We demand answers, and we demand them today. We want to know what action this government has taken, what steps they have taken to fix this problem. Can they guarantee to Ontarians and people in the Hamilton-Niagara area that these problems have been fixed and that, when they call for an ambulance, one will be there on time and their lives will not be put in jeopardy by the irresponsibility and gross neglect of this government, as we have seen in this report here today?

#### TIA SMITH

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I'd like to recognize a young First Nations woman from my riding. She lives at Six Nations and she steps into her new role as Miss Indian World 2002.

Tia Smith, who earlier this year earned the title of Miss Six Nations, became the first Six Nations woman to

be crowned Miss Indian World. This is no small feat, as she took the honours at the largest powwow in North America: a gathering of nations in Albuquerque, New Mexico. There, in a field of 24 that included some of the brightest and most talented native women from across North America, Tia Smith impressed the judges with her talent, her charm and her knowledge of native tradition.

The Miss Indian World title is considered to be the highest and most prestigious cultural pageant title. In addition to being a role model, the titleholder represents all native people and serves as a goodwill ambassador to all cultures throughout the world. Tia Smith will be asked to help bridge cultural gaps between native people and non-native people worldwide.

I want to take this opportunity to congratulate Tia Smith for her achievement, to wish her well as she strives to represent not only friends and relatives at home on Six Nations, but also as she represents native people right across North America.

#### POLICE WEEK

**Mr Dave Levac (Brant):** I'm honoured today to speak on behalf of Dalton McGuinty and the Liberal caucus to recognize this week as Police Week. From Monday, May 13, until Sunday, May 19, citizens in communities across the province are invited to become more aware of the services provided by Ontario police.

With the events of the recent past still fresh in our minds, it's important to remind ourselves of the tremendous job our police services do. These brave men and women go out every day and put their lives on the line to provide hard-working families with safe communities in which their loved ones can grow up.

Sometimes we take these services for granted. In our hectic lives it is often not easy to reflect on those who work to make our lives better. So let us take the time now to reflect, but more importantly to express our appreciation. To the men and women of our police services we say thank you. Thank you for the job you do day in and day out. You are appreciated and respected.

To the families, loved ones and friends of our police officers we say thank you for sharing these noble men and women with us. Thank you for your patience and understanding about the career path they've followed. To the community partners that help our police services and make their job a little easier we say thank you too.

I ask the citizens of Ontario to visit the displays in malls, in the open houses at police stations and at career days at our schools, and wherever you find a police

officer, take the time to say thank you for a job well done. Let us not take our public servants for granted.

In the provincial Legislature, Police Week is a time to reflect to make sure that we as elected officials are providing support for our front-line workers. We need to ensure that they have the tools to do their job.

On a personal note, this marks the 125th anniversary of the Brantford police. The Brantford gala drew 900 people to celebrate our police. We congratulate our retiring Chief Peeling, and we also say good luck to Police Chief Ray Fitzpatrick in his new role. Thank you to our police officers across the province of Ontario.

#### LORNE HENDERSON

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I rise today to recognize the passing of Lorne Henderson on February 7. Lorne was a member in this House for the riding of Lambton between the years 1963 and 1985. Some of the senior members in this House would certainly remember him.

Lorne was the ultimate politician. He was first elected in 1946 as a councillor in Enniskillen township. He then represented his community as deputy reeve, reeve and warden of the county. He was elected to the House in 1963 and re-elected in 1967, 1971, 1975, 1977 and 1981. He served in many capacities as a member, but his most cherished appointment was his role as Minister of Agriculture and Food.

Lorne was born and raised near the community of Oil Springs. He was truly a farm boy. Lorne's formal education was at the elementary level, but when it came to politics, he certainly had the equivalent of a PhD. I can only dream about what his thesis would have been, but how to manage a constituency would probably have been appropriate.

Lorne was physically an imposing individual. He was a large man, a man who cared greatly about his constituency. He was once described by a journalist as a politician who had his ear so close to the ground he could hear the grass grow. He served his constituency well as a member.

After retiring from the provincial scene, he remained very active in the community as a volunteer with many organizations. He was described as Mr Lambton.

On behalf of all my colleagues, I would like to express our deepest sympathies to Reta and the Henderson family.

#### PROVINCIAL PARKS

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** In my riding, the beautiful Land of Lakes is known throughout Ontario as one of the premier locations for outdoor activities. It is the home of the beautiful Bon Echo Provincial Park, famous for its majestic rock, wilderness trails and excellent swimming and fishing. Consequently, people in my riding are indignant that this government has announced it will not open Bon Echo Provincial Park for the Victoria Day weekend.

I was surprised to learn that the minister had not even established contingency plans during the OPSEU strike to ensure that all parks would be able to open on time. This government has saved millions of dollars during the strike, and I believe some of those dollars should be directed to a no-holds-barred effort to get the parks open safely.

#### 1340

Businesses in my riding have told me that the Victoria Day weekend is their busiest weekend of the season. Unlike the ministry, these businesses have planned ahead and have ordered thousands of dollars in supplies to be ready for park customers. Now, at the 11th hour, the Minister of Natural Resources has said that Bon Echo park will not open.

This is a major blow to local businesses and one caused by the Eves government. If Premier Eves wants to show he cares about businesses other than those on Bay Street, he needs to direct the Minister of Natural Resources to show some leadership and get Ontario's parks open safely and swiftly so everyone can enjoy the Victoria Day weekend.

#### AINSWORTH DYER

**Ms Marilyn Churley (Toronto-Danforth):** On April 23, 2002, Corporal Ainsworth Dyer, 25 years old, was laid to rest. Ainsworth was killed by so-called "friendly fire" while on active duty in Afghanistan, along with three other young heroes from across Canada. I never knew Ainsworth Dyer, but I attended his high school graduation from Eastdale Collegiate in the spring of 1997. As he crossed the stage, I handed him a certificate.

I had heard such wonderful things about him from teachers at the school and many others who knew him. He was a big, handsome man who loved to weight-lift and helped start the weightlifting club at his school.

It was one of the most difficult moments of my life to see this young, vibrant, handsome man lying in his coffin in full uniform. My heart goes out to his mother, his father, his sister, his fiancée and other relatives and friends whom I met that night at the funeral home. There are no words any of us can say, hero as he was, that can bring him back and that can help the family as they go through the pain and suffering of this terrible loss.

As Dyer's sister, Carolyn, said, "My brother was a beautiful person on the inside as much as on the outside. I can never be more honoured that he's my brother. I could never feel more proud, for he's my hero."

On behalf of the NDP caucus, and I'm sure all of us, I want to extend our sympathy to the family and friends of this brave man.

#### NATIONAL MISSING CHILDREN'S DAY

**Mr Wayne Wettlaufer (Kitchener Centre):** I want to acknowledge National Missing Children's Day, which falls 10 days from now, on May 25.



Throughout the month of May, Child Find Ontario is holding their 11th annual Green Ribbon of Hope Campaign.

For the last 17 years, Child Find Ontario has been helping to bring missing children home. Meanwhile children, the future of our society, are still missing, have run away, have been lost or have been abducted. Some 60,000 missing children are reported each year.

The positive news is that the hard work of the over 1,000 volunteers throughout Ontario, with help from civic and corporate partners, has aided in the location of over 90% of missing children. Their 24-hour hotline, help from law enforcement agencies, customs and immigration, and the community have all contributed enormously to this cause.

I congratulate Child Find Ontario on its successes and commend the organization for its tireless efforts in this cause. My hopes are that communities will continue to work together and fight for lost children and their families that they are separated from.

I, along with other MPPs, will wear the green ribbon to show our acknowledgement of National Missing Children's Day on May 25.

#### PROGRESSIVE CONSERVATIVE PARTY

**Mr Dwight Duncan (Windsor-St Clair):** You can understand the absolute chagrin of the opposition benches when we found out this morning that the dinner between Ernie Eves and Jim Flaherty got cancelled. The linens were set, the silverware was out, the Cohibas were ready, the single-malt scotches were ready to be passed around, Mike Harris had been brought in to try to bring our two bosom buddies closer together to help them bond as we enter the Ernie Eves era, but what happened?

I can understand Ernie wanting to talk to Jim. Jim had said that Ernie was a pale pink imitation of Dalton McGuinty, that Ernie Eves was a serial waffler. Jim said that Ernie doesn't have any plans, that he lacked conviction, that he'd make the Tories lose the next election. He said all of that in the leadership campaign.

So the linens were out, the table was set and somebody cancelled. Did Ernie cancel on Jim, or did Jim cancel on Ernie? What could have come between them yet again? Is there a division in the ranks over Hydro? Could it be that what Mr Flaherty said outside of cabinet, that they ought to privatize Hydro, is the policy? Or is it what Mr Stockwell said, that in fact public ownership should remain on the table? What a shame the dinner was cancelled. Those two need to do some bonding. But if they don't, Dalton McGuinty is ready to lead this province and cancel the sale of Hydro One.

#### DAIRY FARMERS

**Mr Ted Arnott (Waterloo-Wellington):** In my first member's statement in this new session of the Legislature, I want to offer my appreciation to our farm families, who do so much to enhance our standard of

living, quality of life and way of life in the province of Ontario. The dairy farmers of Waterloo-Wellington are an excellent example of this.

According to the Dairy Farmers of Ontario, there are about 709 dairy farms in Waterloo region and Wellington county, which ship about 254 million litres of milk to processors, worth almost \$142 million. Close to 1,000 families work on our dairy farms, which provide a total of nearly 2,800 jobs. To illustrate the positive local economic impact of our dairy farms, we would need about 4,700 jobs paying \$30,000 a year to replace Waterloo's and Wellington's milk income.

In February this year, I attended the Waterloo-Wellington dairy day in Drayton, where producers talked about a quality assurance program that detects and solves quality control problems literally before they happen. I thank all the organizers and presenters for their contributions to the dairy day.

I also want to thank the Wellington county dairy farmers for organizing a tour for me in April of Arnold Vervoort's farm near Fergus and Keith Burns's Burnside Farms in the township of West Garafraxa to provide me with an on-site look at the work they do.

Based on these consultations, it's easy to conclude that dairy farmers in Waterloo-Wellington are seeing that best practices are shared, are implemented and that they get better all the time, supported by the supply management marketing system that I know is very strongly supported by our new Minister of Agriculture and Food, who is present in the House today.

All members should be very grateful for the efforts of our farm families, who labour to feed us all.

**Mrs Sandra Pupatello (Windsor West):** On a point of order, Mr Speaker: As today is being named National Medicare Day, I seek unanimous consent of the House to have a brief discussion by all parties on National Medicare Day.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

#### VISITORS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: You and this assembly might be interested in knowing that visiting from England are Phil and Sheila Coren. They're accompanied by their son Michael.

**The Speaker (Hon Gary Carr):** We're very pleased to have the Corens here from England.

I'd like to inform the members that we have with us today in the Speaker's gallery Mr Tom Watson, Member of Parliament from Westminster, accompanied by Mrs Watson.

#### LORNE HENDERSON

**Mr John Hastings (Etobicoke North):** I request unanimous consent to make some remarks about a distinguished former member of the Legislature of Ontario.

**The Speaker (Hon Gary Carr):** Unanimous consent? Agreed.

**Mr Hastings:** I rise today with considerable sadness, because it's just a number of months ago that we lost one of the most distinguished members of the Ontario Legislature by the name of Lorne Henderson, who served his family, his community, his party, his people and this province with outstanding elegance, with outstanding dedication to the public service cause.

Lorne Henderson served for some 22 years in the Ontario Legislature as the member for Lambton. He was first elected in 1963. He served in a number of ministerial capacities, primarily as Minister of Agriculture of Ontario and Minister without Portfolio responsible for housing.

Prior to his election to the Legislative Assembly of Ontario, Lorne Henderson served his community in a variety of capacities, including the very distinguished wardenship of Lambton county.

1350

From those modest beginnings, from those experiences in his life as a farmer, I can tell you personally that Lorne Henderson was one of the hardest working public servants in the province of Ontario. How do I know this? During the 1970s—although it is somewhat ironic to speak in this context today—I served as his executive assistant from 1975 when he was Minister without Portfolio responsible for housing.

Lorne was a grassroots politician, as most of us are. He was a results-oriented type of guy, and during my tenure of about a year and a half as his executive assistant, you could find out the personal nature: what kind of character, what kind of gentleman Lorne Henderson was. I can tell you, Speaker and all the people who are here today and all his friends and neighbours, that he was a large man in a physical sense, but that was matched much more by his largeness in spirit, his awesomeness in soul.

He was really a happy trooper underneath his gruff exterior. I can often remember being at the end of his very persistent demands: "Where are you on that, John?" "Why hasn't that been done?" "When will that be concluded?" He wanted things done, and he wanted things done quickly. And those things referred to his constituents. He was fully cognizant, always present—prescient, I would say—in terms of looking after the needs of the constituents of Lambton whom he served with so much distinction and dedication for all those years.

When he was Minister of Agriculture in the cabinet of Premier William Davis, you certainly knew that agriculture was at the forefront in government policy of the last Davis administration. He was persistent. He was always requiring that the government of the day look after the needs of agriculture. When he was minister, agriculture across this province had an outstanding voice, one in which the needs and requirements of the farmers of this province were well served. When I did work for him as executive assistant, as minister without portfolio I think he transferred in an unconscious sense the natural connection between rural Ontario and urban Ontario, which is much missing today. In my first term here I had

the opportunity to merge those two interests, and I would attribute that natural connection over time to the persistence and the outstanding accomplishments of Lorne Henderson when he served as the Minister of Agriculture of this province.

So I say in reflection that it was a real privilege to have served him as executive assistant and to have learned so much from him in the way he went about looking after his constituents, in dealing with the demands of public life in those days. My condolences to his family and friends, for he will be missed for the distinguished service he provided to this province for 22 years in this Legislature and beyond.

Up above, I'm sure he is demanding of Peter that there be an accountability of the needs of the public up there in terms of agriculture. That's what he really stood for in the province of Ontario.

**Mr James J. Bradley (St Catharines):** It's an honour for me to pay tribute to Lorne Henderson in the House today. It's with a good deal of sadness that we learned of his passing in February of this year, when the House was not in session at the time to pay tribute to him. He was an individual whom you will never forget if you served with him; perhaps, a person more representative of the 1960s, 1970s and early 1980s than you would find in the composition of a present Legislature across this country, particularly in a place like Ontario.

What you recall of him and what you learn of a person often is found in the pages of newspapers. The other day, I was going through several clippings about Lorne and how he was quite a character in this House. Yes, he was an individual who would be the first to admit he had a grade 8 education and spoke with less than perfect grammar. But he had an awful lot of what you would call common sense; not the kind of common sense I see contained in something called the Common Sense Revolution, but the genuine common sense of a person who was close to the land and close to people and who brought a lot of wisdom to the Davis cabinet. Some of the people who dominate these cabinets from time to time know what it's like in downtown Toronto but not necessarily in downtown Petrolia. Certainly, he knew very well what it was like in the rural parts of Ontario, and he could relate very well to folks in those rural communities.

Marcel Beaubien gave a tribute to him earlier today in the time allocated for members' statements, and one of the comments he made I would repeat. I remember my friend Conway saying this of Lorne at one time, and I want to repeat it, Marcel, because it is so true of him. Lorne's ear was so close to the grass that he could hear it grow. That's what kind of grassroots politician he was.

I was looking at a column—interestingly enough, it appeared in the Saskatoon Star-Phoenix in 1980. It starts off this way: "In this age of slick politics, Ontario Agriculture Minister Lorne Henderson belongs to a vanishing breed of back-concession politicians."

"The 59-year-old hog farmer does not rely on consultants and experts—he checks the public pulse by talking to constituents over fences and at kitchen tables."



Don MacDonald, a former leader of the NDP and a person who was in this House for a long period of time, recalled that Henderson was "a very tough, adept Tory backbencher who built his credits within the party, and presumably with the Premier, by serving the backbenches, battling for their interests and not neglecting his own along the way."

They go on to say in this article, "He may not be smooth but he knows politics: he once turned a local hospital closing into an expansion in the midst of government restraint."

"And when Premier William Davis came to town to help present the cheque to local hospital officials"—and this is vintage Lorne Henderson—he said, "Me and the Premier bring you this here cheque." Everybody understood what he said.

He was very much beloved in this House, particularly by those who were part of his committee, which was the tile drainage committee. We don't travel very much any more in Legislative committees. They are watched assiduously by members of the media, who often don't know when the House is sitting and isn't sitting, but they certainly know if members are travelling somewhere. Lorne Henderson was the chair of the tile drainage committee. He felt that they had to travel to very exotic places such as Florida, perhaps Europe, Quebec and other provinces to determine what the situation was with tile drainage in those areas. When people complained about it, he simply looked at the results and said this would have a revolutionary effect on farming methods here in Ontario.

Lorne, as has been said, was a huge, imposing man. It said he was six foot one, 270 pounds. He always seemed to be taller to me, but of course a lot of people seem to be taller to me. He seemed to be a giant of about six foot five, with one of the hugest hands you'd ever see. But that hand was always outstretched, not only to those who followed him, who were his fellow Conservatives, but to those of us who were in the opposition and, I'm sure, to people across the province. While Lorne valued loyalty from those in his constituency, he also recognized that he was elected to help people of all political stripes and to be of assistance.

1400

Constituents found they could communicate with him. Before there were constituency offices, it was a real challenge for members to deal with the problems of their constituents. Lorne would simply have them down to the farmhouse, around the kitchen table, in the living room, chatting about their problems on a weekend, perhaps 35 or 40 people at a time.

So a giant of Ontario politics has been lost to us. A giant of Lambton county and southwestern Ontario will not be there although, as members from that area would know, almost to the day before he died he was holding court at Tim Hortons doughnut shop at that time, expressing his views. So he was not going to cotton up to the likes of Dr Bette Stephenson, who winced more than once when Lorne spoke in the House. I think it was at the

grammar. But everybody knew exactly what Lorne wanted to say. As a person from an era when constituency politicians were valued, when we didn't have television in this House, when we relied upon the print media and perhaps a little radio coverage, Lorne Henderson was a hero in his own part of Ontario and certainly throughout rural Ontario.

I want to quote something else he had to say to demonstrate that. At the time of the controversy over increasing health insurance premiums, deterrent fees were being considered. This is what Lorne Henderson had to say: "That may be all right for city folks, Mr Premier," Mr Henderson argued at one cabinet meeting, "but back home in Lambton, detergent fees won't wash." So Lorne knew exactly what he was talking about in terms of the people in his own area. If once in a while the letters were mixed up in the word, nobody really cared. He was so beloved, he was so well-known, he was so strong in his views and in his desire to express them in this House and elsewhere that he was an effective MPP.

All of us, I know, join in paying tribute to him. Sean Conway, a member here, served as a member at the time that he was here, and there are a few others on the government side of the House who served when Lorne was here. We will all remember him fondly. He has left his mark in Ontario politics and certainly in the county of Lambton.

**Mr Michael Prue (Beaches-East York):** It is my privilege to speak about Mr Henderson today. Of course, as you know, I've only been here for six months and I could not possibly have worked with him, but I do remember as a much younger man watching the debates of this House and reading the paper every day about what took place, and his name, Lorne Henderson, was constantly in the newspaper, constantly there, speaking on behalf of the people of Lambton county and his riding.

He had a 40-year career—that's a long time for a politician—that spanned this Legislature, spanned being the reeve, spanned being a councillor in his local community, and he made his mark. He was an MPP for 22 years, and seven of those years he served in the cabinet, until 1985, when he chose to retire.

Many will remember him, and people have remembered him, as a warm and compassionate man who came from a rural community and gave back much to that same rural community. But people perhaps do not remember or did not know what happened after he left in 1985, which I think bears well on the man and bears well on what he has attempted to do for the people of his community and of the province. When he retired from politics in 1985, he went on to become a director of Union Gas; he served as a director of the Lambton housing authority; he served as a director of the Lambton Economic Development Commission; he was a proud member of the Royal Canadian Legion, having fought in the Second World War, and he continued to be a legionnaire throughout his life. He was on a host of service clubs in his community, delivering for the people who lived there.

It has been said, and it is true, that he held court in his farmhouse each and every week and that people would

come from all over Lambton county to talk to him about their needs. He had someone who would write down what was necessary, and he would then come back to this Legislature on Monday and do his utmost for each and every person who had approached him.

Bill Davis said something, which I read in an obituary in the *Globe and Mail*, and I'd just like to quote it: "He held agriculture, government services and other cabinet portfolios under former Premier Bill Davis, who sometimes sent him as an emissary to northern and rural communities to do what he did best: listen to the people."

In researching this, I had an opportunity to find out from Elie Martel, who was in the House in those days, a little story that I think says a lot about the man and a lot about the gentleness of the politics of those days. Elie Martel likes to tell the story of how he and Floyd Laughren and Bud Germa were all together in Sudbury. There was to be an opening of a hospital. Who was sent up to open the hospital but Lorne Henderson. They were there, and they were wondering what the government was going to do in opening the hospital and what was going to be said. Lorne made a little speech about the opening of the hospital, but then he pointedly invited the three opposition NDP MPPs from the area to come for the photograph, because he said, and he explained, that they were the people representing the riding and that they had done just as much as he had in making sure that hospital came to that community.

Oh that things were the same today. In eulogizing this man and talking about him, we should all remember that politics can be far more gentle than it often is in this House. He was one of those practitioners who saw good on both sides.

I have a couple of quotes, again found in researching, which I think say much about the man, his humour and his compassion. I found these in the *Sarnia Observer*. I think they say very much about him and his personality.

One is from Andy Brandt, who, when asked about Lorne Henderson, said, "That was his true calling. Nobody knew more about agriculture or was more sensitive to the issues. He was very down-home. I went to see him as minister. He was in his office in his blue serge suit and white socks. He was wandering around the office in his socks."

Carol Neathway, chairperson of the Charlotte Eleanor Englehart Hospital, of which he was appointed a lifetime member, remembers him this way: "I remember Lorne Henderson as Santa Claus at children's Christmas parties. He would tell them their father's name and their grandfather's name. Even if they didn't believe in Santa Claus, they were just blown away by it."

Mr Henderson leaves his wife, Reta, and his children and all the people who knew him. They knew him and they loved him, and the town's people have lost a true champion. I would like to thank Lorne Henderson for a lifetime of service, not only to his community, but to the province of Ontario. Let us all hope we are able to do as good a job as he did in his 22 years in this House.

**The Speaker:** I thank the members for their kind words, and I will ensure that copies go to the family.

## MENTAL HEALTH SERVICES SERVICES DE SANTÉ MENTALE

**Hon Tony Clement (Minister of Health and Long-Term Care):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for approximately five minutes on the issue of mental health.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Clement:** This, of course, is in the wake of national Mental Health Week, which was last week. I thank honourable members for allowing us to speak about this this week.

Directly or indirectly, mental illness affects many people in Ontario. It can affect our personal lives, our extended families, our workplaces. It also affects Ontario's health care system and the provincial economy as a whole.

I want you to know that my ministry is committed to ensuring that people with serious mental illness can get the help they need.

1410

Le ministère de la Santé et des Soins de longue durée s'efforce de faire en sorte que les personnes aux prises avec de graves problèmes de santé mentale reçoivent de l'aide au moment et là où elles en ont besoin. L'engagement du ministère est indispensable à la réalisation d'un système de santé mentale intégré qui profite tant aux clients, aux familles et aux prestataires des services qu'aux collectivités.

This commitment is crucial to the realization of an integrated mental health system, a system that will benefit the client, the families, the provider and the community.

In this new system, we see a clear need to keep moving toward community-based care. Since the 1960s and the introduction of alternative service options, there has been a decreased need for prolonged institutional care. But until very recently, the service advances that allowed for earlier discharge and less institutional care were not matched by development of appropriate community services outside the hospital. So we found ourselves in a revolving-door syndrome: hospital discharges went up, but so did hospital readmissions. That's why we need to move toward an integrated mental health system that is capable of delivering the highest quality of care in an institutional setting only when necessary, and capable of meeting and supporting clients on the other side of that door.

I'm proud to report today that our government is making this change. In 1994-95, 75% of government funding was hospital-based and only 25% supported community-based services. In 2000-01, that ratio was 56% hospital to 44% community.

I'm proud to say that our government is spending more, not just on community-based services, but also more overall. In 2001-02, provincial spending on mental health services was more than \$2.6 billion. That supports community-based services, homes for special care,



psychiatric hospitals, general hospital psychiatric units, Ontario health insurance plan payments, drug programs and institutional long-term-care services.

This \$2.6 billion includes \$377 million that has been invested over the last six years to add critical services, including assertive community treatment teams, client-driven initiatives, as well as increased support for case management and crisis response services across the province. That reinvestment also provided housing support for people with serious mental illness. In fact, last year alone over 2,000 new housing units were created, and we are on target for 3,600 units by 2003.

One of the Ontario government's most significant legislative achievements and initiatives during this period was proclaimed on December 1, 2000. Brian's Law, or mental health legislative reform, 2000, is part of our plan to create a comprehensive, balanced and effective system of mental health services. Brian's Law responds to the voices of families, clients, inquest juries, health care providers and police.

I would be remiss if I did not say that I am indeed standing on the shoulders of giants in this regard. My predecessor as the Minister of Health, the Honourable Elizabeth Witmer, and my seatmate to my immediate left, the Honourable Brad Clark, had a great deal to do with the success of that legislation.

Mental health remains a priority for the Ernie Eves government, and the people of Ontario who live with mental illness can count on our continued support.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I am pleased, on behalf of my caucus and our leader, Dalton McGuinty, to join in this rather belated recognition of Mental Health Week.

I want to express my appreciation to the many groups, service providers and individuals who are on the ground in our communities, working to enhance mental health and working to provide service for those with mental illness or advocating for the services that are so desperately needed. I want to recognize, for example, the work of the Canadian Mental Health Association, the association of community mental health centres, the Friends of Schizophrenics, Children's Mental Health Ontario, patient councils and community councils and patient advocacy groups. These are the people who know only too well the challenges of providing support and care for those with mental illness in our communities; who know the stresses that mental health workers are experiencing trying to respond to the needs; who know the desperation of families who see loved ones suffering and can't get help; who know the despair of being ill and having no place to go.

Mental illness never seems to make it to the top of the government agenda when health care needs are being addressed. There are reasons for this: those who are ill are too often unable to advocate for themselves; families of people suffering from mental illness often fear that going public will just make things more difficult for their loved ones; mental health professionals are too stretched just in providing care to have time for political action; all

too often mental illness only attracts public attention when something tragic happens, and then the attention is usually negative and brings further stigmatizing of those who are suffering. But the people who do understand what is happening and where the gaps are in care and community support are speaking out more and more. They are recognizing more and more that the advocacy for those with mental illness is essential. Their voices are getting louder and more insistent, and that is exactly what is needed. I want to congratulate and encourage all those who are determined to put the needs of the mentally ill at the top of the government agenda.

I will not join the government in its self-congratulation on its record when it comes to mental health. Let me make public some of what has happened in mental health just in the five months that this House has been in recess. First of all, as an example, St Michael's Hospital terminated the employment of all its clinical psychologists because there is no funding for this vital service. Second, the Minister of Health came to Nipissing during the bye-election with an announcement—more money for drug addiction treatment—only the announcement just replaced half of the more than \$4 million that was cut from addiction services last year. It didn't replace any of the \$4.8 million that was cut from community mental health agencies last year.

Then we had just last month the announcement in the Lakehead Regional Family Centre in my own riding, the only treatment centre for children in northwestern Ontario. They announced they will have to stop taking new cases, new children's and family cases, if there's not some relief of their financial deficit. That centre has been managing a caseload that has increased by 150% since 1995, with an 8% reduction in its core funding. Children's mental health centres across the province are desperately in need of \$60 million so that treatment can be provided to very troubled at-risk children and their families. These centres have struggled for a long time to deal with long waiting lists of children and families who need service. Today they are being absolutely overwhelmed with referrals from boards of education who no longer are able to provide psychological services.

Then we had the OPSEU strike, a strike that was allowed to drag on for over eight weeks while this government ignored the deteriorating conditions of those in psychiatric hospitals. Maybe they forgot they were still responsible for these hospitals, because they were intending to close most of them as part of the hospital restructuring exercise. The closure of those psych hospitals has been put on hold, mercifully, thankfully, until the community supports can be put in place, but the whole mental health reform process is stalled. Deteriorating conditions in our psychiatric hospitals were occurring well before this strike began, and they'll continue until the government remembers that mental health reform is supposed to be part of its agenda. That is just a little of the record of the last five months.

We also know during that period implementation teams that were set up to look at the need for community

mental health services have been working toward final recommendations. Those implementation teams have already finalized recommendations for the new homes for persons with special needs program, but the Minister of Health has essentially told the Ontario Homes for Special Needs Association that the implementation of this program is not even on the radar screen. In the meantime, there's increasing fear that this government will end up doing to mental health what it has already done to community care: get rid of those noisy community advocates and run community mental health with one large, central organization.

This government did take one major initiative in the area of mental health: it passed Brian's Law. They claim the goal of the legislation is intended to provide care earlier to those with mental illness. They claim it was the beginnings of more community-based care. So far, it is a way to force people into hospital earlier even though, ironically, the hospital beds aren't there. Community care certainly is not there yet. If the homes for persons with special needs program is not on the radar screen even though they've been working on it for two years, when are the recommendations of the implementation teams on the need for community services going to get looked at?

I conclude by suggesting that mental health was important to this government when a tragic incident made headlines, but it has slipped right off the agenda again. Those with mental illness continue to be doubly victimized by their illness and by a government more concerned with tax cuts than with care.

1420

**Mr Howard Hampton (Kenora-Rainy River):** The week of May 6 to 13 was the Canadian Mental Health Association's Mental Health Week. I want to acknowledge in particular here today Patricia Bregman, who is the director of programs for the Canadian Mental Health Association of Ontario. This year is special because the Canadian Mental Health Association, Ontario division, is also celebrating its 50th year of making sure mental health matters.

I'd like to take this opportunity to congratulate the association for their leadership in community mental health innovation. We should also note that May 12 to 18 is Suicide Prevention Week, an occasion to raise awareness of suicide and related issues. The theme of the week is, "You can help," focusing on the various roles we can all play in suicide prevention.

We all need to acknowledge that mental health problems can occur in any family in any community. These problems can be devastating to families, costly to communities and costly to the health care system. Fortunately, most mental health problems can be treated and even prevented, but prevention requires an investment in community mental health services.

Studies show that treatment at any age results in a 62% to 76% reduction in mental health problems, an incredible success rate. Why, then, did this government, in the midst of Mental Health Week, choose to disregard mental health services in their speech from the throne? Is

this just another example of the indifference that this government has shown to mental health issues and to people and families who have to address mental health issues?

Our health critic, the member from Nickel Belt, wrote to the Minister of Health on April 25 asking what specific action he intended to take to increase base funding for community mental health agencies. Regretfully, so far we've not received a reply.

The former Minister of Health announced nearly three years ago that the Conservative government would be providing a 2% increase in funding for both addiction treatment and community mental health services. At the time, everyone was given to understand that the funding was to be ongoing funding, multi-year funding, not a one-time-only grant, but then the Minister of Health was forced to admit that it was only one-year funding. That was acknowledged again this past October at the Canadian Mental Health Association's annual conference by the current Minister of Health.

The minister also promised he would work with the Canadian Mental Health Association to obtain other ongoing funding resources, but regretfully, any meeting to follow up on that has yet to take place.

We all need to recognize that community mental health services need an increase in base funding. It's time this government recognized that people with mental illness are involved in ongoing treatment and this need for ongoing treatment doesn't end with the fiscal year.

I want to note that in the recent Nipissing by-election the government did announce \$1.8 million in new annualized funding for addiction treatment, but that addiction treatment aspect does not relate to community mental health. In fact, it all comes out of the problem gambling pot. Those people who are focused on the issues of community mental health are still waiting for this government to live up to the expectations that were created and the commitment that was made.

I also want to make special mention of this government's failure to support children's mental health services. There are 8,000 children waiting an average of five months to get community mental health services in Ontario. Moreover, because those people who work in children's mental health have not received any sort of recognition in terms of payer benefits for some time, there is now a huge wage gap, which results in a high turnover of children's mental health workers, which means that most children will see two or three different workers during their treatment. This lack of consistency means children are stressed, and obviously it impedes treatment.

We need \$50 million to stabilize and revitalize treatment programs in Ontario for children. At least 60% of that money should be used to increase salaries so that they remain competitive and that people who work in the area of children's mental health aren't forced to leave. This revitalization plan could reduce waiting times and serve 10% more children and their families.



Investing in these children now means families can stay together, and it also reduces the social, health and economic costs in the medium term and the longer term. In other words, it makes good sense.

Finally, Speaker, as this is National Medicare Day, I think it's important to acknowledge the future of mental health services. Where is the commitment from this government to ensure the provision of mental health services is part of the so-called Ontario Family Health Network? We believe real, meaningful primary care reform has a central role to play in the provision of mental health services in our communities. We want to ensure that mental health professionals and trained nurse practitioners, not just physicians, are part of primary care reform so that community mental health gets on to the radar screen.

This year more Ontarians are without mental health services because of this government's past decisions. Children at Covenant House no longer have access to the psychology clinic at St Michael's Hospital, because it was cut; 20 high-risk children in Sarnia-Lambton no longer have access to programs provided by the family solutions program, because this government terminated their funding. Children's mental health advocates from Thunder Bay and from across my constituency of Kenora-Rainy River have called or written over the past few weeks to say that children's mental health services in the northwestern part of the province are in critical condition.

What does this mean? Well, we hope that on this day, when the government chooses to recognize Mental Health Week, the government will commit to real and meaningful investment in mental health services. Our families, our communities, deserve nothing less.

**The Speaker:** Reports by committees? Introduction of bills?

**Mr Hampton:** On a point of order, Mr Speaker: Today is National Medicare Day, and people across this country are sending a message that they want medicare protected and expanded, not destroyed. I seek unanimous consent that the Legislature proclaim every May 15 to be Public Medicare Day in Ontario and that all members follow NDP members and lead by wrapping their desks with the medicare ribbon.

**The Speaker:** Is there unanimous consent? No, and I would kindly ask the members to collect the ribbons. There was not unanimous consent.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I seek unanimous consent for members to drape their desks with the national public medicare ribbon, as is being done in communities across this province where people are binding these ribbons to their fence—

*Interjections.*

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes. Just so we know, so we don't have to have the Sergeant-at-Arms remove them, I would ask the members to please withdraw. As you know, we're not allowed to have protests in here.

## INTRODUCTION OF BILLS

### GROVES MEMORIAL COMMUNITY HOSPITAL ACT, 2002

Mr Arnott moved first reading of the following bill:  
Bill Pr5, An Act respecting Groves Memorial Community Hospital.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 86(a), this bill stands referred to the Commissioners of Estate Bills.

1430

### OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (WORKPLACE CARCINOMA COMMITTEE), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (COMITÉ DU CARCINOME D'ORIGINE PROFESSIONNELLE)

Mr Bartolucci moved first reading of the following bill:

Bill 20, An Act to amend the Occupational Health and Safety Act to require the appointment of a workplace carcinoma committee / Loi modifiant la Loi sur la santé et la sécurité au travail en vue d'exiger la constitution d'un comité du carcinome d'origine professionnelle.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** Cancer Care Ontario states that 9% of all cancer deaths are attributable to workplace cancers. Canadian cancer statistics indicate that 455 people die from cancer every week, which means that 40 workers a week die from workplace cancers.

This bill, if passed, amends the Occupational Health and Safety Act to require the minister to appoint a workplace carcinoma committee responsible for advising, investigating and reporting on matters concerning workplace cancers.

## CORRECTION OF RECORD

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I'm referring to this assembly's Hansard of May 13, 2002. During question period on that date, in response to a question put to him by a government backbencher, the Chair of Management Board of Cabinet, when speaking of the OPSEU strike, stated that the government had alternatives, "rather than simply giving in to a \$1.3-billion demand, which represented around a 43% increase."

In fact, at the strike deadline, the demand of OPSEU was a 5% increase over each of three years—

**The Speaker (Hon Gary Carr):** Would the member take his seat. Would you get to the point of order. I'm not going to allow you to make statements in here and get around it by making points of order. I gave you some latitude. If you could please suggest what the point of order is, rather than making a statement first. This time I gave you a lot of latitude. I don't like to get up very quickly, but you know I'm going to have to. We're starting a new session. I try to be easy. As you know, I'm a reasonable person, but you can't start off with statements like that. Is there a point of order in there, please?

**Mr Kormos:** I know that the Chair of Management Board had no intention and did not mislead this assembly. I'm asking you to give him an opportunity to correct the record and correct the inaccuracy of his response on that date.

**The Speaker:** The member will know—the Chair of Management Board is signalling me.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** Mr Speaker, I would like to take the opportunity to correct the record. In fact, our statistics came from our ministry, and I did say that it was a \$1.3-billion demand and a 43% increase. In fact, I was wrong. It was a \$1.3-billion demand, but it wasn't a 43% increase. That represented a 63.81% increase.

**The Speaker:** Thank you for the clarification.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Yesterday your energy minister confirmed that one of the options you are considering—one of your never-ending and growing list of options—is something called a strategic sale; that is, a sale of Hydro One to a single company. He tells us that you are actively considering selling our one and only electricity highway to one company, probably a foreign company.

Premier, I believe it is the height of irresponsibility for the Ontario Premier to be considering the sell-off of our only electricity highway—that's the one that brings electricity into our homes, our businesses, our schools and our hospitals—to a foreign company. Will you now take the opportunity, Premier, to rule this option out, tell us it is no longer on the table?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, I don't believe the Minister of Energy said that we were considering selling it to a foreign company and, second of all, we are listening to the people of Ontario with respect to what options they would prefer to see their government go in the future direction of Hydro One.

**Mr McGuinty:** Premier, you will be interested to learn, then, that one of the foreign companies that is very

interested in purchasing Hydro One is National Grid USA. That is a global electricity transmission company with assets in the US, the UK and South America. National Grid is represented by a Mr Hugh MacKenzie, a friend and adviser of yours who has been hired to lobby you and your government with respect to the sale of Hydro One to one National Grid USA.

Maybe you will take the opportunity, Premier, to assure us that Hydro One will in fact not be available for sale to National Grid USA or to any other foreign company, because that would be tremendous news to Bay Street and wonderful reassurance, at least on one score, to the people of Ontario.

**Hon Mr Eves:** I've already said that so I'll repeat it again. We are not considering selling Hydro One in a specific sale to any foreign entity, period. I don't believe the Minister of Energy said that yesterday either. You must be really hard up for stuff for question period today.

**Mr McGuinty:** Premier, you can understand that to the objective observer it is exceptionally difficult to figure out where you people are from one day to the next with respect to the future of Hydro One. This never-ending hand-wringing and inability to come to a landing with respect to the future of Hydro One is at minimum embarrassing and in the worst case it sends a terrible signal to the international markets.

So just to be perfectly clear, Premier, you are now assuring us that Hydro One is not available for sale to a foreign company. Would you also confirm for us that it is not available for sale to any single company of any kind?

**Hon Mr Eves:** Today he's on the side of international bankers; on Monday he was on the side of the people. Today you want us to make a quick decision and not get all the facts; before, you wanted us to consult with the people.

We are going to consult with the people of the province of Ontario and, after we consider what they have to say to us and the different options, we will let you know what direction the government is going in and then you can feel free to criticize that decision if you so choose.

**The Speaker (Hon Gary Carr):** New question, leader of the official opposition.

**Mr McGuinty:** To the Premier as well. Premier, the Minister of Energy also said yesterday that the main sequence of events leading up to your decision about what to do with Hydro One is as follows: first, you intend it get enabling legislation from this House before it rises for the summer break, and then sometime during the summer you intend to make a final decision with respect to Hydro One. What you are in effect intending to do, Premier, is to ask us to give you a blank cheque with respect to the future of Ontarians' Hydro One transmission grid.

1440

If you honestly think that we are going to roll over and allow you to obtain a blank cheque so that at some time during the course of the summer, under cover of darkness, you can make your final decision with respect to Hydro One, you have another thing coming. So would



you please, Premier, here and now guarantee to us that when it comes to the future of Hydro One, we will have an opportunity in this Legislature to debate the very specific plan you have for it and an opportunity to vote on that very specific plan?

**Hon Mr Eves:** First of all, Mr Justice Gans's decision raises several important items which I think and the province of Ontario thinks the people of Ontario should have clarified. Are there inherent rights of ownership in Ontario or not? Does the province have the ability to dispose of assets it owns or not, or of any government agency, for that matter? There are several other important issues that Mr Justice Gans's decision raises which should be clarified. I suggest, with respect to legislation, that you wait until you see that legislation before you criticize it.

**Mr McGuinty:** What I want to know, Premier, is whether or not we are going to have an opportunity in this Legislature to debate and vote on your very specific plan with respect to the future of Hydro One. That's what I want to know, and I'll put the question to you again: will we have that opportunity in this Legislature? Yesterday your minister was telling us, "You're going to get enabling legislation; you're going to get the blank cheque," and then, away from the people of Ontario, who would like the opportunity to vote on this, and away from us, their duly elected representatives, who should have the opportunity to vote on this, you intend to make your final decision. Will we or will we not have the opportunity to debate and vote on your very specific plan for the future of Hydro One?

**Hon Mr Eves:** You will have an opportunity to debate the legislation that is presented to this Legislature. You and the people of Ontario will have an opportunity to have as much input as is needed to thoroughly debate this issue about the future of Hydro One.

**Mr McGuinty:** You know, Premier, you just recently had your throne speech delivered. It marked the threshold, you told us, of a new era. This was a government that was going to have the courage to listen. This was a government that was going to be both responsive and responsible. Do you honestly think that ramming this bill through in short order, in connection with a very important matter of public policy, and then making the final decision under cover of darkness, away from this House, speaks to that wonderful notion of responsive and responsible government?

You told us you were going to be different from the last guy. Well, I can tell you that your plan with respect to this bill and this policy speaks loudly about the last guy. It doesn't make you different from the last guy; it makes you the same as the last guy. Premier, if you really want to be different from the last guy, then have this courage that you refer to to say no to Mike Harris, no to Bay Street and yes to the people of Ontario, who want to keep their Hydro One in their public hands.

**Hon Mr Eves:** Three minutes ago the leader of the official opposition was arguing in favour of an immediate decision to satisfy the international banking community.

Now he's saying he's against the public consultation process that the minister has already been through and he's against the consultation process with respect to the legislation that will be introduced. There will be a public consultation process, there will be debate by legislative committee and consideration by a legislative committee and it will be voted on on the floor of this Legislature.

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Premier. I have to say you're now changing your hydro policy almost as quickly and as often as the Liberals.

*Interjections.*

**Mr Hampton:** I know it hurts.

Premier, yesterday we learned that for 18 months your government and the Independent Market Operator covered up a Hydro report which indicated how much electricity prices could go up after deregulation and privatization. Today we learned that your cover-up extends even further. Your government, through the Independent Market Operator, refuses to disclose the specific reasons for electricity price increases. So people see a spike in the price of electricity, and the IMO says, "We're not going to let you know what happened. We're not going to give the public that information."

Premier, why is your government so intent on covering up all the information that the consumers and people of Ontario need to know about hydro prices and when and if they are getting ripped off?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** In fact, the IMO is there with its rules in place to protect the consumer of Ontario, to do exactly the opposite of what the leader of the third party suggested.

**Mr Hampton:** Premier, why did they cover up a study which predicts exactly how prices can ricochet up after privatization and deregulation, and why, over the past two weeks, has the Independent Market Operator refused to disclose why we're seeing price spikes? In other jurisdictions, when there's a price spike, people can find out which company has withdrawn their generation or which company is not producing electricity at the rate they said they would.

In California, this kind of price manipulation happened under Enron. You must have heard of their market manipulation strategies—Death Star, Get Shorty, Fat Boy—all of them now under criminal investigation in the United States.

If you want this so-called open market, then you've got to allow people to have access to the information. Why is your government so intent on covering up the kind of information people need so they can make informed decisions?

**Hon Mr Eves:** The reason the government has chosen the route it has with respect to the IMO is to protect the Ontario consumer from events like the ones that happened in Alberta, like the ones that happened in Cali-

fornia. Because they had a full disclosure system of their independent market operator in those two jurisdictions, you got companies like Enron playing with the market. We want to prevent that from happening here, and that's exactly why these rules are in place, to protect the consumers of Ontario.

**Mr Hampton:** This is a new philosophic direction: people will be protected by secrecy. The only people you're trying to protect are your friends on Bay Street. That's why you've kept secret the studies which indicate how prices will go up, that's why you've kept secret the studies which indicate the true value of the Bruce nuclear station and that's why you're keeping this information secret. Because when people can understand which companies are withdrawing generation, when people can understand how much generation is being withdrawn, they would be able to point out exactly when and where market manipulation is occurring.

No one except the generators and profit-driven corporations is going to be served by that kind of secrecy. No one, especially consumers, is going to be served by your government and your government's agencies keeping these studies and reports on electricity pricing secret. You should know that. Why won't you make all of these studies public, make all of this information public? If you're not prepared to do that, then do the right thing and cancel this whole misguided project.

**Hon Mr Eves:** First of all, the rules were established after consultation with many people in the marketplace and others. The rules were established to protect the consumers of Ontario. Even Tom Adams, the executive director of Energy Probe, agrees. Initially, he thought the rules that Alberta had in place for full disclosure were appropriate, and now he realizes that was a mistake and he fully confirms the approach that Ontario is taking to protect the consumers of the province.

**The Speaker (Hon Gary Carr):** New question, the leader of the third party.

**Mr Hampton:** To the Premier, I gather now this is your official policy: secrecy is good for consumers and secrecy is good for the ordinary person.

Premier, it goes even further than this. Your former Minister of Energy boasted about three months ago that he had a study which said that prices under deregulation and privatization will be lower. We wanted to follow up on that study, because if you're going to make this boast, then we should be able to read it. We called and asked for that study, one that was put out by a Professor Lazar. We were told that in fact he didn't have the real study. It's put out by an organization in the States called PIRA. So we contacted PIRA. PIRA wants \$5,000 to access the study, but then you have to sign a whole bunch of confidentiality agreements that say you can't make the study available to ordinary people.

1450

Once again, Premier, these are not your friends on Bay Street. It's not their electricity system. This Hydro system belongs to the people of Ontario. What justification do you have for keeping study after study, informa-

tion after information source, secret and covered up from the people of Ontario?

**Hon Mr Eves:** I refer this question to the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The study is available and it's been done privately by the company and Mr Fred Lazar. He provides the advice, recommendations, the consultations he went through to get the study. He provided us the information for the study. We have digested that information and it has provided the information that, in the long run, the people of the province of Ontario will save between \$3 billion to \$6 billion through privatization.

**Mr Hampton:** Here we have the Minister of Energy standing up and making bald statements again. If anyone wants to get the study, to test any of the assumptions or to test any of their projections, you're told, "We could maybe give you the study for \$5,000, but you're not allowed to disseminate any of that information to the public." That's what's wrong. You give this information to your corporate friends on Bay Street, you tell them, you give them access to information, but to the people whose hydro rates are going to go up you say, "Oh no, you can't have any of the information." And hydro rates are going up. The Toronto Transit Commission estimates their electricity costs are going up by 20%.

If you are truly the Minister of Energy, and you're supposed to be looking out for the people of Ontario, make all of these studies, all of this information, public so that people can be informed and they can tell this government honestly what they believe. Why are you covering up all of this information?

**Hon Mr Stockwell:** The leader of the third party says hydro rates are going up, but that's not the case. According to the hourly energy prices since market opening on May 1, yesterday the average price for hydro was 3.2 cents. When the market opened it was 4.3 cents. So why do you say that market rates are going up when you know for a fact that market rates are not going up, they're in fact down?

As far as the TTC is concerned, the TTC made a business decision that they based on information they received. If that's the decision the TTC took, then that's the decision the TTC took and they're going to stand by their decision and rise and fall based on that decision. In my opinion, sitting here today, you're making the charge that hydro rates are up. The fact of the matter is, hydro rates since market opening, May 1 to May 14—not one single day on average have the rates been higher than the pegged rate of 4.3 on May 1. So your assumption is fundamentally flawed, just like everything else you've been saying about this for the last five months. Nothing you say is accurate.

#### HYDRO ONE

**Mr Michael Bryant (St Paul's):** My question is for the Premier. Mr Premier, is your government open to keeping Hydro One as a crown corporation?



**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Yes.

**Mr Bryant:** On Monday, we're told by the minister that the status quo is off the table. The status quo equals Hydro One as a crown corporation. On Tuesday we're told by the minister that in fact the status quo is off the table, so somehow you're going to keep it public but keep the status quo off the table. My question is, is the status quo on the table or is it off the table? Because this government has polluted the Hydro One debate with the smog of inconsistency, confusion and incompetence. Our question is, is the status quo on the table or is the status quo off the table if in fact Hydro One may be kept as a crown corporation?

**Hon Mr Eves:** I think I've already answered the honourable member's question. His flair for the dramatic is somewhat entertaining, but I don't think it really resolves this.

### HEALTH CARE

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Minister of Health. The Ministry of Health has made significant investments in improving the quality of cancer care at Royal Victoria Hospital in Barrie through the women's imaging centre and the expansion of chemotherapy services. However, as you are aware from your visit to the riding in February, a regional cancer care centre is needed along with the expansion of RVH due to population growth and its regional role as a health care provider.

Minister, what is the status of the RVH regional health care cancer centre and the RVH expansion?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for his question. Indeed, he is working hard to bring the best possible health care services to the people of Barrie-Simcoe-Bradford. I want to commend him for all of the work he is doing, including sponsoring promotional breakfasts and supportive breakfasts for women's cancer research and treatment and prevention at Royal Vic, and other things.

As the honourable member knows, because he represents this area, the Barrie area is experiencing significant growth in population, and of course Royal Vic, after its opening, has been a site for expansion of health care needs.

I did visit his riding in February. I did indicate a desire to push on ahead with the regional cancer centre. This is in the wake of a district health council report that said the need was there on a five-years-out basis. I am sponsoring a meeting of the ministry, of Royal Vic, and of the local Cancer Care Ontario in order to move this project along.

**Mr Tascona:** Thank you, Minister. Also in February, you attended Sandycove Acres to discuss health care issues and the medical clinic that closed there last year. You were provided with a proposal to reopen the clinic. What is the status of reopening the medical clinic at Sandycove Acres?

**Hon Mr Clement:** As the honourable member knows, we have been in quite extensive discussions with the Sandycove residents and some of the sponsors. We thought we had a deal back in September. The deal fell apart. The organizers of that clinic did not feel the increase in funding that we had proposed was going to be successful or viable. I met with the residents, as the honourable member knows; he had representatives there as well. I obtained first-hand information about the need to retain the outreach program and how it would have a positive impact on community health in the community. That proposal is with me and I await the finalization of my budget in order to proceed.

**The Speaker (Hon Gary Carr):** New question?

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier. In January, the Minister of Health, Tony Clement, said that you were clearly promoting a parallel two-tier system which violates the sanctity of the Canada Health Act. He said, "Ontarians are quite supportive of paying for these kinds of medically necessary services with their OHIP cards, not with their Amex cards."

You, Premier, on the other hand, said, "It sure doesn't make any sense to me," of the Canada Health Act that prevents people from paying for services if they want to.

Premier, today is National Medicare Day. Now that you've said whatever it takes to take your seat in this House as leader, where exactly do you stand on two-tier health? Where do you stand on people being able to pay for services and therefore being able to jump the queue for medical services?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I don't believe that people should be able to jump the queue. That's the whole point. But there are some instances in the system today where people do pay to jump the queue. Our objective is to eliminate those circumstances and make a single-tier public health care system accessible to everybody in the province of Ontario where they need it and when they need it.

**Mrs Pupatello:** OK, maybe it depends who you're speaking to and what the purpose of the speech is, and then you change your mind. But here's what you said exactly: "It doesn't make sense that people can pay for MRIs for their pets in the middle of the night but can't pay for themselves." You said, "If I have \$10, \$20 of disposable income, or whatever the number is, and I want to do something for my mother for her health, I can't." You were bothered by that, Premier. You said, "Is your cat more important than your mother? How about your daughter? Is she more important than your cat?" That's what you said one night.

Very quickly, though, based on your leadership campaign, you beat a hasty retreat and then you said, "No, no, no. That's not what I meant." But in fact that's exactly what you meant.

Now as Premier, in charge of health care for Ontarians, we want to know exactly where you stand. Do you believe that people should be paying for those services and therefore be breaking the Canada Health Act?

Your throne speech made innuendo at best, but nothing clear. Just like this first month in this House, Premier, you are clear about nothing. Where exactly do you stand on—

1500

**The Speaker:** The member's time is up. Premier?

**Hon Mr Eves:** First of all, the House hasn't been sitting for a month. This is the second week it's been sitting. Second of all, the honourable member is referring to a comment that was not made in an evening at all; it was made on an afternoon in Barrie. Number two—

*Interjections.*

**Hon Mr Eves:** Well, her facts are totally wrong.

*Interjections.*

**Hon Mr Eves:** Mr Speaker, I think we need some fish to feed them over there. They're getting a little grumpy today. I didn't know there were that many Ottawa Senators fans on the other side of the House. I understood they'd be disgruntled today.

What I said was—

**Interjection:** You're going to upset Norm.

**Hon Mr Eves:** There's the odd disgruntled one down here, too. I understand. I've heard Norm all morning.

To the honourable member: what I was talking about on that occasion was a woman on the leadership campaign trail who had indicated to me that she did not see the point of being able to pay for an MRI or a diagnostic procedure for her pet, but she couldn't help her mother. That is the case in some cases in the province of Ontario, where people are able to pay for their pets for services they can't get for their relatives, including their mothers.

We are trying to eliminate jumping the queue and paying for services for all Ontarians so they have access to the health care they need, where they need it, when they need it, as we did in Thunder Bay yesterday with the announcement of the regional hospital and a new northern medical school.

#### POST-SECONDARY EDUCATION

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Training, Colleges and Universities. After years of accusations and fearmongering from the opposition benches that fewer students will be going to universities and colleges, the message seems to have changed across the floor. They now see the problem as not too few students but too many students. More young people going to colleges or universities is good news. It is proof that our policies to ensure access are working.

There are still some people across the floor who see political advantage in frightening students and parents by telling them that the doors to post-secondary education are now closed. Minister, what can you tell the students in my riding about our government's actions to ensure that Ontario's colleges and universities are prepared for increased enrolment?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for**

**women's issues):** Thank you to my colleague for the question. In response to the statements that are being made throughout this province, it is a fact that we have a plan and that there will be a space for every qualified, motivated or willing student who wants a place in our Ontario colleges and universities.

The worst thing that could possibly happen during the next few months is happening in this Legislative Assembly, where in fact there are people who are fearmongering and telling students there won't be spaces. I'm reading from the Council of Ontario Universities' response to the throne speech. "Toronto, May 9, 2002: Ontario universities were encouraged by today's throne speech which noted that the government will build on previous commitments and provide further resources to post-secondary institutions to meet higher-than-expected student demand." That may disappoint the opposition, but the colleges and universities are very pleased, and we will continue to work with them.

**Mr Gill:** These are indeed historic times, when investments are being made. Not since Premier Bill Davis created the college system more than 30 years ago have we seen a capital investment like SuperBuild, and it's been some time since Ontarians last saw a government commit to building a brand new public university.

Participation rates have increased under our government. More young people are going to universities and colleges than in the past. Beyond the double cohort, Ontario's colleges and universities are looking at strong demand and growth over the next several years.

Despite what has already been done and accomplished, will you assure this House that you will continue to work to address increased enrolment in Ontario's colleges and universities?

**Hon Mrs Cunningham:** We obviously do have a five-point plan that's in the making with the students, colleges, universities, parents and our school systems. We have built \$1.8 billion in new buildings: 25 for the colleges, 25 for the universities and nine which they're sharing. We have, in fact, increased operating funding. In the throne speech, we reassured that there would be money for every qualified and willing student. We've promised them that place.

**Mr Dwight Duncan (Windsor-St Clair):** It's funny, the university presidents don't share your view.

**Hon Mrs Cunningham:** As a matter of fact—I will repeat for my colleague across the House, because he was shouting last time—"Ontario universities were encouraged by today's throne speech." Money "to meet higher-than-expected student demand."

The colleges did the same thing. They stated, "The throne speech commitment is welcome and reassuring."

If they're satisfied—and they are working with us on behalf of all these students—then we should be satisfied and letting students know that there will be a place for them—

*Interjections.*

**Hon Mrs Cunningham:** —because people who are saying that right now are discouraging the most vulner-



able who are working on their marks and looking for financial support.

We are prepared. I'm tremendously optimistic, along with the young people of this province and their parents.

### HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question, of course, is for the Premier. He will know that today is National Medicare Day. He will know that people across Canada are demanding that patients come before profits. In Ontario alone, the Ontario Health Coalition has received more than 77,000 signatures on petitions, and more are pouring in. Even the Ontario Chamber of Commerce has said that universal, publicly funded, owned and operated health care is critical to the health of our economy. But when your government spoke at the Romanow commission, you said that the Sunnybrook private cancer clinic and the Ottawa and Brampton private hospitals symbolized the new direction of your government.

Premier, if you are interested in protecting medicare, will you commit today to cancelling the private cancer clinic at Sunnybrook and cancelling your scheme for private hospitals in Brampton and Ottawa?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member ought to know that the Sunnybrook clinic is of course open and available to all citizens of Ontario without payment required. It is publicly funded. It is for publicly insured, medically necessary cancer services. It allows us to serve Ontarians here in Ontario rather than being required to fly to Buffalo or Cleveland or some other part of the continent to get the right kind of cancer care on a timely basis.

The honourable member should know that we are not speaking of hospitals privately funded by the person. These are hospitals that will have clinical operations available for publicly funded, medically necessary services. That is our goal: more accessibility to health care for Ontario. I hope he will join me in that goal as well.

**Mr Hampton:** The minister ought to know that more accessibility is not the result. The Provincial Auditor has studied the private cancer clinic at Sunnybrook and has been very clear: it costs more to deliver than would the expansion of existing publicly funded, publicly administered cancer care clinics.

Equally, you should know that in Britain, privately financed hospitals have been found to cost 72% more, and because of the additional costs, clinical services have been cut. What's happening here is you're choosing the most expensive private option, which in fact limits people's access to health care down the road. Then you turn around and say, "The only solution is more private delivery."

Minister, if you really care about medicare, if you're really committed to medicare, cancel these backdoor privatization schemes.

**Hon Mr Clement:** When is the honourable member going to take off his ideological blinders and look to whatever works, whatever provides greater accessibility for greater numbers of Ontarians? Our family doctors are private sector providers of publicly funded services. Half of our nursing home operators are privately funded, publicly delivered health care services. This is not new to the Ontario health care system. The issue is, can we find a better way to do it? Can we partner with the private sector to find better accessibility, better quality health care, safer health care? In some cases the answer might be yes; in some cases the answer might be no. We have the vision to ask the right questions because we do not want to be mired in the status quo that does not provide better health care services not only now but in the future. I encourage you, cast your ideological blinders aside and help us come up with practical solutions.

1510

### MINISTRY SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is to the Minister of Environment and Energy. Minister, yesterday you attempted to justify why your office violated your own guidelines on expenses. I have numerous receipts here: October 30, 11:34 pm at Rivoli; November 14, 9:56 pm; November 14, 12:28 am; November 15, 9:59 pm; November 16 at Rivoli, 12:53 am; December 12, 1:27 am.

There are higher standards of conduct that we in public office should be held to. I'm asking you again today to justify to the people of Ontario why they're paying these bar tabs. Do you not consider that these bar expenses are a misuse of public dollars by your office?

**The Speaker (Hon Gary Carr):** Before the member begins, yesterday I missed the question to the Minister of Labour. As you know, you have to ask a question pertaining to the minister's present portfolio. I knew the question dealt with some people who are with his present ministry, but it is properly referred to the Minister of Labour, so I'm going to ask the Minister of Labour. I apologize for missing that yesterday. I will now ask the Minister of Labour.

**Hon Brad Clark (Minister of Labour):** With respect, Mr Speaker—

**Mrs Marie Bountrogianni (Hamilton Mountain):** He doesn't even drink. I know it.

**Hon Mr Clark:** She does.

With respect, those employees are not working in my office. On this side of the House, we take accountability very seriously. The minister who was responsible for those employees at the time dealt with those employees in a very strong way. They were admonished accordingly and we've moved on.

**Ms Di Cocco:** A question to the Chair of Management Board as a supplementary. In my view, you have guidelines, and this is about guidelines. There should be some consequence for breaking these rules. They are your own rules. I was told that the reason for breaking these guide-

lines was "hard work." That's the reason for breaking the guidelines.

Are you saying, then, that these inappropriate expenses are justifiable? There are many of the same dates and times that are also on the minister's corporate card, the same statements.

I believe the people of Ontario expect us to raise the bar of accountability for those entrusted with public office, not to sit—

**The Speaker:** I'm afraid the member's time is up.

**Hon Mr Clark:** With complete respect to the member opposite, the minister has dealt with the matter with his employees. They were employees who were under contract to his office. He dealt with it in an appropriate way. The matter has been put to rest and we're confident that the matter will not happen again.

### SUPPORT FOR AGRICULTURE

**Mr Doug Galt (Northumberland):** My question is to the Minister of Agriculture and Food. I took great interest in the debate on Monday evening, particularly Bill 81 on nutrient management. Mr Barrett and I did extensive consultation on this—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry to interrupt the member. You can start over in a minute. It was a little loud. I couldn't even hear you that well. You can start over. Your time will start over.

**Mr Galt:** Thank you very much, Mr Speaker, for getting them under control. My question is to the Minister of Agriculture and Food. As I was mentioning, I was very interested in the debate the other evening on Bill 81, the nutrient management bill, particularly when Mr Barrett and I did so much consultation on this very area.

As I was following it through, the member from Prince Edward-Hastings drifted away from the topic. I can understand him drifting away; he probably didn't have too much to say about it. But he got into talking about the dry season for Ontario farmers and what they had experienced last year. I want to quote for you from Hansard. He said, "We called upon the minister at that time to recognize that this was indeed a catastrophe ... for the farmers," and that the Minister of Agriculture provided no support.

I know this man very well. He's an honourable man. I thought I knew what had happened. But just to check it out with the new minister, is it true that we didn't provide any support for Ontario farmers last year?

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to thank the member for his question.

*Applause.*

**Hon Mrs Johns:** You guys make me embarrassed.

I guess this is a question about determining fact and fiction. Let me say that I can assure the members of the House that our government is committed to promoting long-term sustainability for the agricultural community in

the province. We want our farmers to be around for the long term.

Last year, I have to say that Minister Coburn entered into a Canada-Ontario framework agreement that he signed in July 2000. Our government exceeded—exceeded—the \$70-million commitment that was asked for to match the federal government. They exceeded that commitment by \$20 million. This \$20 million went to address the needs of the agricultural community and the needs of our farmers. I can tell the members opposite that this is the case, you know this is the case and we should stick to the facts.

**Mr Galt:** That's exactly how I remember it. I would suggest that maybe the member from Prince Edward-Hastings, rather than this idle rhetoric, might want to talk to his federal Liberal cousins in Ottawa because of the international problem we were having with the devastating US farm bill back in 1995, and what they are now going to do with this new farm bill that's going through. When will those Liberals down in Ottawa level that international playing field for our grain and oilseed producers?

I should also point out, from a little later in the evening, another quote from the member from Prince Edward-Hastings: "Ontario does the matching with Ottawa exactly what they're required to do—the minimum, no more." Minister, it still seems that once again the member opposite is being misinformed. Didn't you just tell me that we gave an extra \$20 million to the Ontario farmers, over and above what was required for matching funds?

**Hon Mrs Johns:** Let me say that I want to get the facts straight in the House here and I want to keep the facts on agriculture straight because this is the second-largest industry in the province of Ontario. We did provide \$20 million more—

*Interjection.*

**Hon Mrs Johns:** We provided \$20 million to tobacco, but we also provided \$20 million more in farm subsidies. With that, we've put our share of it—we're supposed to give 40% and the federal government is supposed to give 60%. We never saw the \$30 million from the federal government. The \$20 million from the provincial government was not matched that year. The members opposite know it. They should keep the facts straight—

*Interjections.*

**The Speaker:** Order. The member for Elgin-Middlesex and the member for Prince Edward-Hastings, please come to order. Sorry, Minister.

**Hon Mrs Johns:** That's OK. In addition to that, we have a current mix of safety net programs. We delivered more than \$750 million to tens of thousands of Ontario farmers, providing a measure of income stability in the face of poor weather, depressed prices and unfair subsidies.

I call again for the federal government to come through to give us trade—

**The Speaker:** I'm afraid the minister's time is up.



1520

### AMBULANCE SERVICES

**Mr James J. Bradley (St Catharines):** Premier, for the last six months your government has been hiding from the people of Niagara, Brant, Haldimand-Norfolk, Six Nations—in other words, a large group of people—a report which is condemning of this government in terms of ambulance dispatches. The report says that 67% of the staff at the dispatch office have less than three years' experience because of a rapid rate of staff turnover; that the dispatch centre has the highest workload, averaging 6,400 calls per worker per year; that the dispatchers at the Hamilton centre are paid far less than those in other centres; that the dispatch equipment is antiquated. In other words, we have a terrible situation with ambulance dispatch in the area surrounding Hamilton, including the Niagara Peninsula, alleged to have caused deaths in the Niagara region, alleged to have caused the worsening of health conditions.

How can your government justify hiding from the people of Ontario a report affecting the life and death of people, which it has had in its hands for a full six months?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'd like to refer this question to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I can report to this House that we did make a judgment call in the midst of OPSEU negotiations, because we were dealing with issues of training and employment, that it was not appropriate to release the report. Having said that, we acted on the report, which is what the honourable member should be mostly concerned about.

All the positions have been filled. A communications training officer and a technical officer have been added to the dispatch centre. There is more effective training and a quality assurance program that is in progress. I can tell you that all personal equipment of the dispatchers has been reviewed, replaced or upgraded where required, and we are engaged in rigorous testing of replacement systems as well.

I can tell the honourable member and assure this House that we have been acting on the report, and now that the report is public, we can certainly defend our actions in the meantime.

**Mr Bradley:** I think it speaks volumes of this government when a report which affects the health of people in our part of the province, which is a matter of life or death, is withheld because you are in some negotiations to do with labour in this province. Surely the lives of the people in Hamilton, Niagara, Brant and surrounding areas are far more important than some negotiations you're involved in. If that is not true, then there's something wrong with your priorities.

Here is what one of the workers had to say about this situation. The person said that ambulances on emergency

calls are being sent to wrong addresses and getting lost, or an ambulance call is not classified as such, or an ambulance is sent from one depot while another sits unused at another garage.

One dispatcher said, "When I answer the phone, I don't know if I'm getting a call from the Hamilton Mountain, Thorold, Wellandport or Bismarck, or even Norwich, up by Brantford." This dispatcher contacted the Standard after the Standard released this report Saturday. "I have no idea where some of these places are, but I have to send an ambulance."

You knew what the problems were even before that report was out, because they were brought to your attention. How can you possibly justify the inaction on the part of your government when the life, safety and good health of people are at risk?

**Hon Mr Clement:** I deny the allegation. Quite the opposite of inaction has occurred. We have acted expeditiously; we have acted quickly and firmly to increase training availability, to increase the staff. In fact, the OPSEU agreement that this government endorsed, as well as OPSEU itself, has meant a substantial pay increase for the dispatchers.

I would tell the honourable member that we have acted. We have taken as a priority the health and safety of the citizens in the Hamilton CACC catchment area. That has been our priority, and we have acted as expeditiously and, I think, as effectively as humanly possible.

### FIREFIGHTERS MEMORIAL

**Mrs Julia Munro (York North):** My question is for the Minister of Public Safety and Security. In the throne speech, this government committed to working with fire service stakeholders to establish a memorial to honour Ontario firefighters who fall in the line of duty. I anticipate tremendous public interest in this memorial, as we've all come to appreciate more the risks firefighters take, especially in the wake of the September 11 terrorist attacks on New York City and Washington. Minister, could you update the House on your plans for this memorial?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I want to thank the honourable member for the question. It is certainly an important and timely one.

The Eves government recognizes, supports and values the hard work of Ontario's firefighters. The men and women who work for our fire services risk their lives to protect the public, and when we're confronted with a tragedy—a house fire, a car accident, a disaster or a medical emergency—it is often a firefighter who responds first.

The honourable member will know that municipalities across Ontario have erected their own memorials to honour fallen firefighters. However, there is interest in establishing a provincial memorial to recognize the contribution of all of Ontario's firefighters, the contribution they make to public safety. It's an idea that has been endorsed by the fire community, including the profes-

sional firefighters' association, the fire chiefs' association and volunteer firefighters. Hopefully, the memorial will provide a permanent reminder for generations to come of the sacrifices made by Ontario's firefighters.

**Mrs Munro:** Could you tell the House how the partnership with stakeholders will work and when the memorial could become a reality?

**Hon Mr Runciman:** I've had some preliminary conversations with the professional firefighters' association, as has the fire marshal; I had a brief chat with the chiefs' association. There's a real interest in seeing this happen.

The firefighters' association is looking at a poster campaign to raise funds for this. We're looking at the formation of a working group with all of the stakeholders to hopefully make this wonderful tribute to fallen firefighters a reality by the spring of next year.

### AMBULANCE SERVICES

**Mr Peter Kormos (Niagara Centre):** A question to the Premier, please. Premier, your government consolidated ambulance dispatch services creating this mega dispatch centre in Hamilton. The consequences were disastrous. There were deaths in regional Niagara that prompted regional Niagara to call for a review of the Hamilton dispatch centre. That, in and of itself, was a lengthy process. You commissioned a review. The results of that review were available in a final report in October of last year.

Lives have been at risk since the creation of this mega centre. Lives remained at risk while your government sat on, concealed, swept under the carpet, covered up a report that was, quite frankly, damning in terms of the ineffectiveness, the dangerous ineffectiveness, of that mega dispatch centre in Hamilton.

I put to you that the report has not been responded to fully and I submit to you that your government is displaying behaviour beyond negligence in not responding fully to that report. Why would you conceal that report? Why would you not respond promptly in co-operation and in a public way and in participation with the municipalities, like Niagara, affected?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I have to contest the honourable member's allegations, and certainly I want to assure this House that upon the acceptance of the report by this government we acted. We acted quickly. We did not wait in terms of the initiation of our action. Our action included staffing up; our action included better training; our action included better equipment; our action included better pay.

We have responded to the report and it did not take six months. The honourable member is incorrect when he says that. We started acting immediately for the health and safety of the citizens.

I already gave the answer to that question. The honourable member knows full well why the release was not

forthcoming. We did not take that to mean that we should not act. We took it to mean that we should act immediately upon receipt of the report and I want to assure the honourable member that's exactly what we did.

**Mr Kormos:** I say to you, Minister, the fact that people died in Niagara is no mere allegation. It is a reality and a fact. The fact that your incompetent structuring of a mega dispatch centre not only put people at risk but continued to put people at risk and indeed to this day continues to put people at risk remains a fact.

Minister, one of the problems, as you well know, is that this dispatch centre dispatches through a number of municipalities spreading from the city of Hamilton through to Norfolk county, Haldimand, Brant county and Niagara region. In Niagara region alone, with a number of municipalities, there are numerous street names which are either identical or similar which start to create some of the problems for any dispatcher out of a centralized service.

### 1530

The regional municipality of Niagara, you know full well, has been pleading with you for an opportunity to present their case for the need for a Niagara-dedicated dispatch service to avoid any more deaths. When will you sit down with Debbie Zimmerman and other regional Niagara leaders to consider their argument, their proposal for a Niagara-dedicated dispatch centre which will ensure effective ambulance dispatching?

**Hon Mr Clement:** The fact of the matter is I already have had that conversation. It was a fruitful conversation to get that point of view. We are open to other points of view. We are open to change. The change should be in the right direction. As I said to the honourable member, once we received the particulars of the report we acted immediately, we acted forthrightly for the health and safety of the residents who were affected and we will continue to do so.

### HYDRO ONE

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. It has to do with Hydro One and Hydro One's management activities over the last little while. You'll be aware that they have participated in advertising urging the sale of Hydro One. They released some financial statements yesterday indicating—and I think pushing—the government in the direction of selling it.

The challenge we have is that if we look at the compensation package for, let's say, the president of the company, the fear is that she has a vested interest in selling the company. I think the way we understand the contract and the prospectus is that if the company is sold she's entitled to an annual pension of almost \$1 million a year and she would receive a cash payment of \$6 million to \$7 million in payment for the sale of it, in addition to some pensions around the deputy minister area.

My question is this, Premier: you're responsible, on behalf of the taxpayers who own 100% of this, for ensuring that Hydro One's management operates the company



leaving Ontario with the option to not proceed with the IPO. Have you talked to the president of Hydro about this and can you assure the people of Ontario that she will not let what I think is a huge vested interest in selling this get in the way of the management of this company in a way that will allow us to maintain the public ownership of this?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer this question to the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Let me say this: obviously there are issues that you deal with on a fairly daily basis with Hydro One, OPG and others that may have need for conversation. The decision with respect to the disposition of Hydro One will be made by the very people who sit in front of you today. These are the people who have been duly elected to represent the constituents in the province of Ontario. These are the people who, in caucus and cabinet, will make the decisions based on the best interests for the future of Hydro One, for secure energy and for good prices for the ratepayers and consumers. The fact of the matter is we may ask for information and they may provide advice, but ultimately the buck stops with this caucus and this cabinet. So basing the decision on how we proceed with that will be made by the very people you're looking at today.

**Mr Phillips:** That wasn't the question, with all due respect. The question is this: we have Hydro One management with a vested interest in selling Hydro One and therefore operating the company in that way. This is Ontario's biggest asset. We look at the president's contract and that person has an enormous vested interest: \$1 million a year, it appears, in pensions, if they're able to do this, a \$6-million to \$7-million payout and we see them spending hard-earned ratepayers' money advertising, saying to Ontario, "You go push the government to sell Ontario Hydro."

The question isn't about who's going to make the decision to sell Hydro One, it's a different question. Who, on behalf of the government, has spoken to Ontario Hydro One management, told them what is on the table and what we hope will be the case—it won't be sold—and instructed them to operate in that fashion?

**Hon Mr Stockwell:** Mr Speaker, the member is saying, "Who has talked to Hydro One to tell them it won't be sold and to operate in that fashion?" We've told you all along that the decision hasn't been made. The point you're making is, are there financial benefits to them should Hydro One go through an IPO? Well, your answer is yes. You've seen the talk.

That, my friend opposite, will have absolutely no impact on the decision we make for the benefit of the ratepayers and taxpayers in this province. I appreciate the fact that they are structured in such a way that if an IPO proceeds, they will be benefited by that, but that will not enter into our decision-making. We will make the decision based exclusively on the price of power, that the debt doesn't continue to spiral, and those applications that the Premier had spoken about earlier.

Your concern is that there are benefits to those who work at Hydro One, should it go through an IPO, and whether we have any intention of speaking to them. That will not even enter the equation as to what decision we take. The decision we take will benefit the taxpayers and the ratepayers, and that's all this caucus truly worries about.

#### UNPARLIAMENTARY LANGUAGE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** On a point of order, Mr Speaker: Yesterday in a lively exchange with the Minister of Energy I said, and I quote from page 70 of the May 14, 2002, Hansard, "I say to you, Minister, there are tens of thousands of Ontario citizens, many of them senior citizens, who are weeks away from finding out that they were not only misled by their government and their government's company but they were ripped off in a serious way."

The minister has drawn this to my attention. It is his view that that is out of order, and I would just simply ask you to reflect upon it and give me some direction.

**The Speaker (Hon Gary Carr):** I have had a chance to look at it and, yes, had I caught it at the time, I would have asked you to withdraw the words "misled by their government." I did not. There was some confusion. I think the minister heard it. The table I think heard it. I did not. As usual, they were right and I was wrong. But, yes, it is out of order.

**Mr Conway:** Let me withdraw it absolutely and say, particularly to the table, I find the advice and the decision very difficult to accept. Accept it I will, but I say again to the table, I am increasingly troubled by what I see as Thomistic distinctions and impossibilities. But I do withdraw it.

**The Speaker:** I thank the member. It's a very difficult task. As you know, the words that are out of order—and it's been an acceptable practice. Some Speakers have different words that they find not acceptable. There is no dictionary. In fact, the former Speaker told me that if you find in an everyday occurrence that a word is—if you've met somebody in the street and said that word to them and they found it offensive, then it probably would be offensive in here. But there is no definition. Saying that a government misled, in my estimation, would be out of order.

I thank the member and, as you know, I appreciate him for doing that.

#### PETITIONS

#### HYDRO ONE

**Mr David Ramsay (Timiskaming-Cochrane):** "To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I will affix my signature to this.

#### RENT REGULATION

**Mr Michael Prue (Beaches-East York):** I have a petition I would like to present today and it reads as follows:

"Whereas the annual rent increase guideline for multi-unit residential dwellings in Ontario increases every year more than the rate of inflation and more than the cost-of-living increase for most tenants;

"Whereas no new affordable rental housing is being built by the private sector, despite the promise that the implementation of vacancy decontrol in June 1998 would encourage new construction;

"Whereas one in four tenants pays over 50% of their income on rent, over 100,000 people are on the waiting list for social housing, and homelessness has increased as a result of unaffordable rents;

"We, the undersigned, petition the Legislative Assembly of Ontario to implement an immediate province-wide freeze on rents which will stop all guideline increases, above-guideline increases and increases to maximum rent for all sitting tenants in Ontario for a period of at least two years."

1540

#### COMMUNITY HEALTH CARE CENTRE

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I have a petition to the Legislative Assembly of Ontario and it's been signed by thousands of people. It says:

"Whereas Sarnia-Point Edward and area is experiencing a crisis in a shortage of health care professionals, specifically doctors; and

"Whereas community health care centres are a proven primary health care system that can attract professionals

and deliver primary health care in a cost-effective, efficient manner;

"Be it resolved that the Legislative Assembly of Ontario approve a community health care centre for Sarnia-Point Edward and area as soon as possible."

I will affix my signature.

#### HYDRO ONE

**Mr Dave Levac (Brant):** My petition contains thousands of signatures that we will be continuing to gather up.

"To the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's hard-working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage"—and demand—"Ernie Eves to take Dalton McGuinty's advice to put" Ontario "working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I sign my petition and give it to Daniel, our page.

#### RENT REGULATION

**Mr Michael Prue (Beaches-East York):** I have a slightly different petition on the same topic. It reads as follows:

"Petition to the Ontario Legislature:

"Whereas tenants in Toronto and Ottawa are paying their landlord an average of almost \$2,000 more per year than they did when the Conservatives' so-called Tenant Protection Act was enacted in the spring of 1998; and

"Whereas tenants in cities like Hamilton and Kitchener have also been hit by substantial increases; and

"Whereas 22% of Ontario tenants were paying more than 50% of their income in rent even before the new act was brought in, with 43% of tenants paying more than 30% of income in rent; and

"Whereas the Conservative policy, enshrined in the Tenant Protect Act, of allowing landlords to charge whatever rent they'd like when a unit becomes vacant has been the main reason for the skyrocketing rents; and

"Whereas the Conservative legislation is also unfair to tenants in the way it allows landlords to treat capital and operating costs, for example, by failing to decrease the rent when a landlord's costs decrease while allowing landlords to pass on increases; and

"Whereas on July 24, 2001, the council of the city of Toronto voted 30-8 to call for a rent rollback;

"Therefore, be it resolved that the government of Ontario be asked to implement a rent rollback as proposed by the council of the city of Toronto and NDP MPPs Rosario Marchese and Michael Prue. This would



roll back rents to their 1998 level with an allowance for inflation; and

"Be it further resolved that the Tenant Protection Act be replaced with a system of real rent control similar to the Rent Control Act of 1992, which, among other things, regulated rents on vacant apartments and decreased rents when a landlord's cost decreased."

I would sign my name to it as well.

### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserviced area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

I affix my signature to this petition.

### LONG-TERM-CARE FACILITIES

**Mr Tony Martin (Sault Ste Marie):** I bring forward a petition to the Legislature on behalf of long-term-care facilities across this province that find themselves short-changed when it comes to providing the kind of service that their tenants need in their facilities. They're saying that the over 60,000 Ontarians living in long-term-care facilities are older, frailer and sicker and require more care than ever before: 95% of them require assistance to get dressed, 94% require some assistance to eat, 63% suffer from dementia, 39% are aggressive, 56% have circulatory disease, and 49% have a musculoskeletal disability.

They're saying that government funding has not kept pace with this increasing resident need. Current funding levels allow for only four minutes to assist with getting up, washed, dressed and to the dining room, 10 minutes for assistance with eating, 15 minutes of programming per day, and one bath per week.

I'm here today with this petition on their behalf, encouraging the government to increase the funding to those facilities so that those residents, those constituents, those citizens of our province get the care they need. I sign my name to it as well.

### HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition to the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

It's signed by a number of residents from Ridgeway and Morpeth, and I too have signed this petition.

**Mr David Caplan (Don Valley East):** I have a petition and it's entitled as follows: "Stop the Sale of Hydro One."

"To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand" Ernie Eves and "the Conservative government to halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I want to thank Eleanor Kaarsberg, a constituent in Don Valley East, for her help in getting this petition signed. I have affixed my signature to it.

**Mr Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves' Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature to this petition.

1550

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Michael Gravelle (Thunder Bay-Superior North):** The provision of mental health services for children in Thunder Bay and northwestern Ontario is truly under great threat because of the lack of funding from the province. I have a petition I'd like to read pleading with the government to provide the needed funds.

"To the Legislative Assembly of Ontario:

"Whereas the children and families with the Lakehead Regional Family Centre deserve to have quality and timely children's mental health services; and

"Whereas for the first time Lakehead Regional Family Centre has a deficit budget of \$200,000 due to the lack of adequate funding from the provincial government and the sharp increase in the demands for children's mental health services in the city of Thunder Bay; and

"Whereas referrals to Lakehead Regional Family Centre have increased 150% since 1995, and no additional permanent funding has been received to help meet the needs of our community; and

"Whereas since 1993, the government's investment in core funding for children's mental health services has declined by 8%, and salaries for staff are up to 30% lower than in hospitals and other government services; and

"Whereas according to the Canadian Journal of Psychiatry, 18% of children and youth in Ontario have a diagnosable mental health disorder, and yet Ontario only treats one in six of these children; and

"Whereas without immediate additional permanent funding, children's mental health services could be severely restricted to those children and families who need it the most,

"Therefore we, the undersigned citizens of Ontario and residents of the city of Thunder Bay, petition the Legislative Assembly of Ontario as follows:

"For the provincial government to provide an immediate infusion of additional permanent funding to the Lakehead Regional Family Centre to help fight the crisis situation facing children's mental health services in the city of Thunder Bay" and area.

It's a very important issue, and I'm very pleased to sign my name to this petition.

#### CHILD CARE

**Mr David Caplan (Don Valley East):** I have a petition from several families in my community who attend francophone child care.

"Child care funding is an investment!

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Conservative government is considering cutting the regulated child care budget by a minimum of 40%;

"Whereas the Ontario Conservative government has already made cuts totalling 15% to child care funding since 1995;

"Whereas the Ontario Conservative government is not investing any of the over \$800 million from the federal government in regulated child care and family resource programs;

"Whereas child care and family resource programs are key factors in successful early childhood development;

"Whereas child care funding is an investment for a successful future in Ontario;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Ontario Conservative government abandon any plan to make further cuts to regulated child care and family resource programs in Ontario and that a portion of the federal future years funding be committed to affordable regulated child care and family resource programs."

I've affixed my signature to this very worthwhile petition.

#### HYDRO ONE

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's very important that we stop the sale of Hydro One. I have a petition that's circulating throughout the province.

"To the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves' Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families,

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."



I'm very pleased to add my name to this petition.

### VISITORS

**The Acting Speaker (Mr Bert Johnson):** The time for petitions has ended.

There are two things I wanted to do. The first thing was to introduce you to the guests in the west public gallery. These are students from Holy Name of Mary school in the town of St Marys. I understand that they came down on a couple of buses with Murphy Bus Lines. I welcome the students, I welcome the teachers, I welcome the parents and I welcome the chaperones. I'm very much out of order in doing this, and I will chastise myself for it.

I also just wanted to point out that in the east public gallery are two very special people from Salt Lake City, Utah, home of the Olympics and so on. We welcome them as well.

### PRESENTATION OF PETITIONS

**The Acting Speaker (Mr Bert Johnson):** The second thing I wanted to do was just to point out that we all know that petitions have to be approved by the table before they're presented. The only reason I mention it is that if it became a habit, I would feel it was necessary to take some action on it. I just wanted to remind the members of that.

### ORDERS OF THE DAY

#### THRONE SPEECH DEBATE

#### DÉBAT SUR LE DISCOURS DU TRÔNE

Resuming the debate adjourned on May 14, 2002, on the amendment to the motion for an address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** Because I want to hear Howard Hampton give a barnburner of a speech, I move government order number 1.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes Howard Hampton, the member for Kenora-Rainy River and leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** I want to begin my comments by putting forward an amendment. It reads as follows:

"The amendment to the government motion to the throne speech be amended by adding the following:

"This House condemns the privatization and deregulation of Hydro, private sector involvement in health care and the government's unrelenting attacks on workers' rights."

Last week, Mr Eves delivered his much-anticipated first throne speech. It was the new Premier's attempt to

set his course for Ontario. I might add it was his effort to paint over seven years of miserable, mean-spirited, mismanaged Conservative rule with a happy face.

It didn't work; it didn't even come close. This was a throne speech written by the Ottawa Senators. It floated out at centre ice. It stayed away from the corners. It didn't complete a pass, finish a play or score a goal. Instead of showing thoughtful leadership on the issues people care about, it hid behind reviews, studies and vague verbiage. It attempts to heal with warm, fuzzy phrases seven years of gouging and tearing at our health care system, our schools and our public services. It didn't work.

Yes, it was an admission that between 1995 and 2002 the Conservative government has underfunded our schools. Yes, it was an admission that the Conservative government has underfunded our health care system. Yes, it was an admission that this government has gone out of its way to attack nurses, to attack teachers, to attack trade unionists and to attack the poor. But it didn't make up for any of that wrong-headedness, for any of the wrong directions we've seen over the last seven years.

The truth is that people have turned their backs on tax cuts that benefit the well-off and corporations while starving our health care system and our schools. In a post-Walkerton world, people don't consider environmental regulation to be a bad thing. People embrace the need for a strong public service protecting our communities, enhancing our abilities and ensuring that our economy is shared with all, not just those at the top. People see the need to regulate and protect our water supply, to regulate and protect for clean air and to ensure that our workplaces are safe.

When it comes to Hydro, the key publicly owned service that underpins our whole economy, the throne speech was very disappointing. At a time when Ontario needs bold leadership on this issue, the Conservatives spun a web of deceptive phrases. The throne speech makes it clear that this government still intends to ignore the wishes of the majority of Ontarians.

1600

**Hon Mr Baird:** Speaker, on a point of order: I think the word "deceptive" is out of order.

**The Acting Speaker:** That is a point of order. I'm not ruling that the word can never be used, but I would ask the member for Kenora-Rainy River to be very careful in the use of that kind of terminology.

**Mr Hampton:** For the further edification of the member, Speaker, the words that were used in the throne speech were capable of many different interpretations. In that case, they can be considered deceptive.

The throne speech makes it clear that the government will ignore the wishes of a majority of Ontarians and will privatize and deregulate our public Hydro system. They may say that this piece over here will stay in public ownership or quasi-public ownership, but it makes very clear that the direction, the strategy, is to privatize and deregulate what has been a very successful underpinning of Ontario's economy.

This is an incredible slap in the face to the 70% of people who oppose Hydro privatization and the 80% who say very clearly that the only way this decision can be made is not by the Premier and a few of his friends from Bay Street; the only way this decision can be made is by the people of Ontario through an election where they will make the decision themselves.

I know how people feel about our Hydro, because for the past three months I have travelled all over Ontario, visiting over 90 communities. I have had the chance to listen to what people are saying. Everywhere I went I heard the same response: "We do not want our hydro-electric system privatized. We want it stopped."

People recognize we need a reliable supply of electricity at cost to keep Ontario's economy growing. We need to ensure that our hospitals, schools, farms and factories can afford to operate. The best way to do that, the most reliable way to do that, the most cost-effective way to do that is through a public Hydro system accountable to the people of Ontario, not to shareholders in New York or Chicago. By keeping the profiteers out of Hydro, our future will be better. Our future, in terms of the underpinning of the economy, in terms of providing this essential service, will be much better.

But I regret this government doesn't yet understand it, and Liberals don't seem to understand it. Liberals talk a bit about Hydro One, but are quite prepared to sell off the generating stations and quite prepared to engage in the kind of market deregulation that was so awful, so destructive in California, Pennsylvania, Montana. New Democrats are very clear: this is an essential public resource; it is the underpinning of our economy. We need to maintain a dedicated, publicly accountable hydro-electric system. We need to have a dedicated hydro-electric system that looks after the consumers and the industries of Ontario, not the consumers of New York, Pennsylvania or Illinois, but the consumers and the industries of Ontario.

This is such an important issue that it calls for a full and open debate, not by invitation-only audiences, not reports that are kept secret, not studies that the government deems to be confidential. This calls for a full and open debate, and it calls for an election, so that the people of Ontario can make this fundamental decision. But what we get instead is a government that, as we've seen day after day, is intent upon hiding the reports and the studies, covering up those analyses which show that the least expensive electricity systems in North America are all public. The cheapest hydro rates: Manitoba Hydro; the second-highest hydro rates: Hydro-Québec; the third-cheapest electricity rates: BC Hydro. And studies also show that the highest electricity prices are those you find in privatized and deregulated systems. The government doesn't want the people to have that information.

We learned today, for example, that the Toronto Transit Commission, a system that runs on electricity—whether you're talking streetcars or subway trains—is facing a whopping 20% increase in their electricity costs. We know what this means. It means that fares have to go

up substantially or property taxes have to go up to the tune of \$9 million just to cover off the increased cost of deregulated electricity. Higher fares, declining ridership or more money from city taxpayers, to pay for what? To pay for an electricity system that has now opened up to profiteers.

But the government still doesn't get it, and Liberals still don't get it. The people are speaking. The court has spoken. The disasters in other jurisdictions have spoken. Hydro privatization and deregulation is a losing proposition for the people and the industries of our province. The only winners are the power profiteers who, as we have seen, are all too willing to manipulate the market in order to force up the price and increase their profits.

The throne speech was disappointing for other reasons too. In a week when a baby boy was born on the street in Third World conditions within sight of Toronto's financial district, there was no investment whatsoever in affordable housing mentioned in the throne speech. There was no mention of an increase in the minimum wage, and no hope for the thousands of families living in poverty. Disgraceful.

This is a government that, over the last seven years, has made a career out of trampling on the rights and the lives of the poorest and the least powerful people in the province, cutting social assistance benefits by 21%, crippling rent controls and demonizing the most vulnerable of our citizens as drug addicts, drunks and too lazy to work.

However, people are fighting back and justice is regaining its currency in Ontario. This week, Ontario's highest court, the Court of Appeal, ruled that the government's repressive spouse-in-the-house rule discriminates against single parents. They struck that regulation down. They said it contravenes the Charter of Rights, the Constitution of Canada. But what was the response of this government? Does the government listen to the highest court in Ontario? Does the government have any appreciation of the Charter of Rights or our Constitution? No. The government says that it wants to continue attacking single parents, most of them women; that it wants to continue to vilify them and undermine them; that it wants to continue to interfere in their lives; that it wants to continue to portray them as somehow fraudulent. We have a suggestion: this Conservative government should obey the law. Most of all, it should obey the Constitution of Canada.

But what's worse in this context is that the government wants to continue to attack and vilify the poorest, but at the same time, as we found out on the day of the throne speech, the government is, through taxpayers' money—public funds—going to pay for a private office for one Mike Harris. Mike Harris indicated that he was leaving, that he had resigned his position as an MPP, that he no longer wanted to be in public life. Mr Harris was paid well while he was here. He will receive close to \$900,000 in severance pay and pension benefits. How does a government that wants to attack and vilify single



parents find the money to provide a private office for someone who isn't even elected here?

1610

Let's see. I think it comes down to this: the government wants to deny single parents the benefits they need to feed their children and pay the rent while it provides one Michael Harris with a private office. It doesn't make any sense at all. It doesn't make any sense for anybody out there in Ontario's public life.

That's why I want to talk about a different throne speech. I want to talk about a throne speech that New Democrats would put forward for this province, about the kinds of alternative ideas that don't see another tax cut for the well-off and corporations as a solution for everything, a throne speech that recognizes that an accountable, publicly owned, regulated hydro system is what we need to meet Ontario's needs for the 21st century, a throne speech that would put an end to hydro privatization.

Our vision of a hydro system includes power at cost, not power at cost plus fees for the fee-takers and the commission-takers and profits for the profit-takers. It includes a strategy for renewable energy sources and it includes a strategy for the conservation of electricity. It includes a strategy for public decision-making, not private decision-making according to the shareholders in New York or Chicago. I believe in responsible, accountable public power, in a system that stresses conservation, in a system that stresses green electricity and, I say again, in an electricity system controlled right here in Ontario, not in New York or Chicago or Detroit.

There is no room in my throne speech for private health care. Medicare is good for our economy, it is good for our citizens and it is the most efficient and cost-effective way to provide health care for those who need it. But the sad reality is that our federal government, beginning with the Mulroney Conservatives and continuing now with the Liberals in Ottawa, has steadily shrunk the federal financing of medicare. Today, in the year 2002, we still fall short of the 1992 level of federal financing for health care. It is impossible for the Liberals in Ottawa to enforce the Canada Health Act now that they simply don't contribute enough to support medicare financially. The repercussion of that is that it holds the door wide open for this Conservative government in Ontario to then privatize more of our health care services.

This government claims that they are investing more in health care than ever before. Well, if you count setting up private cancer care clinics that cost more, if you count setting up the private financing of hospitals, if you count the private delivery of home care, all of which are more expensive, if you count all of those things into the equation, it's no wonder that in fact the cost of health care may have gone up. That's the problem with privatization: it costs more. Everywhere along the line, the profit-takers want their money, and money to them means less money for patient care.

The government says that this current level of investment in health care is not sustainable. Then with

the same breath that they say they can find billions of dollars more for corporate tax cuts or billions more for tax cuts for the well-off, they say that medicare is not sustainable.

There is money for medicare. The real problem is tax cuts for the well-off and tax cuts for the corporations; it's not health care. That's the problem. The reality is that tax cuts too often have been the priority for this Conservative government and too often the priority for the Liberals in Ottawa, and medicare suffers as a result.

There is a solution. I would establish a chain of new community health centres across the province to ensure equal health care for everyone: not-for-profit community health centres. Doctors, nurse practitioners, nurses and other health care providers, working together on a not-fee-for-service basis, would be there to ensure that people are cared for.

We need real primary health care reform. At present, 36 communities in northern Ontario need 114 physicians. But what used to be strictly a northern Ontario problem has spread like a virus across the province under this government. In 1995, 60 communities needed 77 physicians. Now 113 Ontario communities need 514 physicians to provide health care. That's just an idea, an example, of how much this has deteriorated under a government that cares more for private health care delivery than they care about positively and progressively reforming the public system we have.

As municipalities compete fiercely with each other for physicians, it's clear another approach to primary health care is required. We look to the Sault Ste Marie Group Health Centre, built by the community and by steelworkers many years ago, and we state categorically that Ontario needs more community health centres as a positive alternative to the fee-for-service model of primary care. Community health centres have proven to be effective in recruiting and retaining not only doctors but a broad range of health care providers—nurses, nurse practitioners, dietitians, social workers—who as a team deliver health promotion, prevention and treatment. Paid on salary, there is no incentive for providers to practise revolving-door medicine.

And there are great success stories in working with other community institutions to respond to specific needs. In Sault Ste Marie, for example, the centre, working with the district health council and the hospital, has reduced median times between mammogram and surgery from 107 days down to 18 days for those suffering from breast cancer. That dramatically changes survival rates, not to mention peace of mind for those who are suffering.

There are now over 100 groups and communities in Ontario that want to expand or create new community health centres, and most of those are in underserved areas. The current freeze on the community health centre budget in Ontario must end and community health centres must be used as the vehicle for real primary care reform, here and elsewhere. But that's just part of the puzzle. Next we need to fully maximize the skills and expertise of nurses and nurse practitioners in the health care system. This goes to the heart of fee-for-service.

I'll just share with you an experience of mine. A few years ago, I was playing hockey and a friend of mine lost his balance and his stick came up under my shield and he cut me just above the lip. I was very lucky; a friend of mine who's a physician was on the ice. He said, "Come on, we're going to go to the hospital, to the emergency room, and we're going to stitch that up for you." We got to the hospital, though, and he said, "I'm also going to give you a lesson in health care economics. They'll take about four stitches to close that cut. You need to have it stitched; otherwise it's going to be quite awful. No one will want to vote for you again." I took that to heart and I said, "Go ahead."

*Interjections.*

1620

**Mr Hampton:** I knew that would get their attention.

Now comes the lesson, and I hope all the government members are listening. At the same time, he pointed to the emergency room nurse, who'd be about across the aisle here, and he said, "The emergency room nurse here does very good stitches. I've watched her. She's worked in the far north, where a nurse does virtually all of the primary care. That nurse does better stitches than I do." But then he said, "Under a fee-for-service system, nurses don't do the stitching. Under a fee-for-service system, I will get paid about \$80 for putting four stitches in your lip and when you come back six days from now and have the stitches taken out, I'll be able to charge the health care system another fee." Overall, he pointed out, about \$100 to put four stitches in above my lip.

Then he pointed to the nurse again and said, "That nurse gets paid about \$22 an hour," as the rate then was. "It would take her about five minutes to stitch up your lip. Taking into account her time, materials and everything, it would cost the health care system less than \$10 for her to do it, and she does better stitches." But as he pointed out, as long as we're all on the fee-for-service system, the doctors will do the stitching and doctors will charge \$100 or more in terms of fees for that kind of procedure. And he said, "What we need to do, if we're truly interested in having a more efficient medicare system, is recognize the work of nurse practitioners, expand the area of practice of nurse practitioners and nurses and get off fee-for-service."

So that's why, as a government, between 1990 and 1995, New Democrats put in place the first process for the training of nurse practitioners and in fact put in place the process so that nurse practitioners could take their rightful place in Ontario.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** And you reduced the number of nurses. Shame on you. You're on the wrong subject.

**The Acting Speaker:** Order. We've been away for a while and maybe we've forgotten that it's my responsibility to recognize who speaks; it's up to the rest to listen. If you have some confusion with it, let me know. But other than that, I would ask you if you're not content

with that, let me know and we'll change things. But other than that, I'll try to get along without you in here.

**Mr Hampton:** I've again indicated that we must move away from fee-for-service and we must increase the area of practice of nurse practitioners and nurses. For example, research recently done by the Institute for Clinical Evaluative Sciences showed that fewer patients die within a 30-day period after discharge when their hospital nurses are more experienced and have higher levels of education. A recent University of Toronto study found that patients needing home care needed fewer visits if the home care provider was a university-trained nurse. In Ontario, where nurse practitioners could make a huge difference working with family doctors in under-served areas, some 70% of them remain underemployed or unemployed. Why? Because the Conservative government has not yet found a way to remunerate the work of nurse practitioners. Imagine that. We have over 260 nurse practitioners out there who are unemployed. Why are they unemployed? Because despite all the work that was done between 1990 and 1995, this government in seven years has not developed a strategy, a program, a plan whereby nurse practitioners can be paid through the health care system.

**Mr Gilles Bisson (Timmins-James Bay):** Hard to believe.

**Mr Hampton:** Yes, very hard to believe, but it's a practical, progressive step that needs to be taken now.

We need full-time nurses in our hospitals and we need a compensation strategy for nurse practitioners and a closing of the gap between hospital and community nurses in terms of their pay and their working conditions if we're going to recruit and retain nurses in Ontario and improve health care outcomes.

But all levels of government must focus on keeping people healthy. I want to just spend a few minutes on that: focus upon keeping people healthy, focus upon investing in the determinants of health. Affordable housing is key, is critical, to ensuring that people remain healthy, that people can sustain their own health—protecting the environment, investing in child care and education and all those social determinants of our health.

I would invest in home care systems that treat the sick and elderly with respect. Right now, people who need help to continue living at home or who are recovering from surgery and illness are being shortchanged. They deserve better. New Democrats believe in investing in nurses and service providers to make sure people receive proper home care.

In our throne speech there's a real commitment, not just to treating the sick but to ensuring that we invest more, that we develop the thoughtful strategies to allow people to sustain their own health and to allow people to make more thoughtful decisions about their own health. But that can't be done without affordable housing; that can't be done without dealing with the issues of poverty; that can't be done without providing the thoughtful strategies for education and the thoughtful strategies so that people can make those decisions.



I want to focus just for a minute on education. In our throne speech there is a real commitment to our children's education: from investing in safe, regulated child care to rolling back university tuition fees. Special-needs kids would get the special supports they need. Students would have the textbooks and music teachers and cleaning staff in their schools to ensure that they can succeed. Schools would be safer because they'd be staffed by real people, not cameras.

The government has been trying to redeem itself and repair the damage it has done to our schools by announcing money for school boards and textbooks. But these are baby steps when compared with the giant steps that are needed, because the reality is that over the last seven years this Conservative government has underfunded our school system by over a billion dollars on an annual basis.

So we need to start making those investments, and what does that mean? It means having the courage to say, "No more corporate tax cuts," and it means having the courage to say that those people who benefited most from the personal income cuts, those with very high incomes, once again have to make a greater contribution to the things that matter to all of us: safe schools; a good health care system; protecting our environment; affordable housing.

We need to invest in affordable housing and we need to freeze rents to give every family, every child, the safety and security they need to do well in school, to do well in our communities and to have the opportunity to get a job. In many ways this is one of the first essentials. No one can organize their life for education, for training, for work, for anything, unless they have the security of a roof over their heads. If you don't have a roof over your head, you don't have a phone number. If you don't have a roof over your head, you don't have a mail address. If you don't have a roof over your head, you simply don't have the wherewithal to organize your life to do anything else.

Yet the sad reality is that affordable housing in this province is more and more a critical issue, and not just in Toronto, not just in Ottawa or Hamilton; even smaller cities like Guelph or Peterborough now have an affordable-housing problem on their hands. Why? Because this is the government that totally cancelled, did away with, any strategies for investing in affordable housing and this is the government that has crippled rent controls. Even their developer friends will tell them that private developers are not interested in building affordable housing. Private developers are in the development industry to make a profit, and they make the greatest profit by building at the high end, housing for those who have higher incomes.

So modestly priced housing, affordable housing, is not being built. This government needs to recognize that. They won't. That's why we need a New Democratic government to once again start putting some priority to affordable housing.

1630

We must raise the minimum wage. At the same time that this government has given tax cut after tax cut to the well-off and to its corporate friends, it's frozen the minimum wage in this province now for seven years. Just the inflation factor alone, if you look at the StatsCan index, has eaten away 15% of people's incomes. It means that effectively they've cut the incomes of the lowest-paid workers in this province by 15% over the last seven years.

Jurisdiction after jurisdiction is raising their minimum wage. It's embarrassing. The minimum wage now in the United States, when you factor in the exchange rate, is much higher than the minimum wage in Ontario. British Columbia has a higher minimum wage than Ontario. Quebec has a higher minimum wage than Ontario. Manitoba has increased their minimum wage. Even Alberta has increased their minimum wage.

**Mr Bisson:** Not Alberta?

**Mr Hampton:** Even Alberta. But Ontario has frozen the minimum wage. What does that mean? It means that those people who've been working for minimum wage—and this government would say, "Oh, it's only students." Not so. The majority of people who work for the minimum wage are women who are trying to not only support themselves but in many cases trying to support their kids too.

This government has frozen the wages of the lowest paid. With wages frozen and the inflation factor eating away 15%, it takes away a person's capacity to participate in the economy and to contribute to the economy. It takes away their purchasing power. There's no doubt that people who would benefit most from raising the minimum wage would be minimum wage workers, but the people who would benefit second most would be all those small business owners who would suddenly have someone coming in their store, their shop, their restaurant, with enough money to participate once again in the economy.

That's what studies have shown in jurisdiction after jurisdiction. Raising the minimum wage would do a lot to raise the incomes of the poorest people in the province, and it would do a lot for small business too because we would have more participation in the economy, more people being able to participate and pay for the necessities of life. Raise the minimum wage. Do the right thing.

There is nothing more important than safe water and clean air. Taking care of the environment is good for health and it's good for our economy. That's why our safe drinking water act needs to be implemented, and we are committed to implementing it. We must put in place the statutory guarantees of safe, clean drinking water. It cannot be left up to private corporations. It cannot be left up to someone who maybe understands the regulations, maybe doesn't understand them, maybe observes them and maybe not. We need to have clearly, legislatively put in place, a safe drinking water act and then we must start to reinvest in restoring our water and sewer systems.

When the government downloaded the responsibility for providing drinking water within municipalities and

the responsibility for the operation of sewage systems within municipalities, when the government completely downloaded that on to municipalities, it created the potential for the most serious of public health situations. The province must recognize it has a responsibility here. Many municipalities are simply too small: they simply do not have the property tax revenue to be able to handle this on their own. The province has to get involved in this. The province can't continue to download and to walk away from this responsibility.

I also want to say a few words about our cities. New Democrats understand that in a knowledge economy, in a knowledge society, our cities are more important to economic productivity than ever before. Why? Because cities are the places where people come together to learn, to share ideas, to work together in the pursuit of ideas and then to turn those ideas into productive pursuits.

We recognize that our cities are having serious problems. Earlier this year we released a number of suggestions, a number of proposals in *A Brighter Idea for Ontario's Cities: An NDP Urban Vision for the 21st Century*. I invite people to get a copy of this and look at it because it sets out and offers 67 bright ideas to help our cities remain the economic and cultural dynamos of our society. We believe that cities need more powers and more revenue if they are to grow and prosper. Our vision includes funding for affordable housing, transit and community policing.

I invite people to go to the Web site at [www.abrighteridea.ca](http://www.abrighteridea.ca). I offer these ideas to the government—not that I think they will take us up on any of them—because once again what we saw from the throne speech is a government that continues to be committed to tax cuts, a government that doesn't recognize that more tax cuts will not provide you with good schools, with a better health care system, with safe, clean drinking water and with the financial and other arrangements that we need for our cities.

Unlike the Conservatives, we don't believe in forcing cities to take on unreasonable responsibilities and then suggesting to them that they go into debt to pay for them. That's really what the government's proposal in terms of unbonds is all about. The government is saying to municipalities, "Now that we've downloaded all of these new responsibilities on to you and you find that you don't have the tax base to deal with them, well, take on unbonds. Go into debt to finance this." It's simply not sustainable. It's not sustainable in any way, shape or form, and suggesting to municipalities that taking on more debt is a way to provide for financial sustainability is just absurd.

New Democrats know that tax cuts for the wealthy and for corporations will not hire teachers and nurses, will not build housing and will not ensure that our water systems are safe and secure. We know that strong public services pay huge dividends for our communities, for our people and for our economy.

These are just some of the ideas that we would include in a throne speech designed to address the needs of On-

tario's people today. They are practical, sensible, workable solutions for the challenges that we face.

We've now had seven years of Conservative throne speeches, seven years of throne speeches that say that tax cuts are the answer to everything. I say to the Conservative government, tax cuts will not deal with the challenges we face. Tax cuts will not build affordable housing across Ontario. Tax cuts will not do anything for the lowest-paid. What we need to do is build that affordable housing. We must raise the minimum wage. We must end the clawback of the national child benefit. We must invest to eliminate the waiting list for safe, regulated child care. We must invest in community health centres to ensure equal access to health care for everyone. We must change the funding formula and invest in schools, not just look at the funding formula. We must freeze and reduce tuition fees. And we must halt Hydro privatization.

These are a few of the suggestions I would offer this government. I actually look forward in the weeks and months ahead, to have an opportunity to point out exactly how these ideas would really respond to what we're hearing out there from people across the province and would address the urgency that people see in their own communities, in the health care system and in the schools their children must attend.

I say to the government, you want to have a different image? You want to have a different direction? Then take some of these ideas. If you don't, it's a huge mistake by you, and people across Ontario are trying to say that to you.

**1640**

Thank you for the time, thank you for the opportunity to participate in this debate. I look forward to further debate in the days ahead.

**Hon Mr Baird:** I want to speak to the motion in reply to the speech from the throne. I did enjoy particularly a good number of parts in the speech from the throne. The part where it recognized the contribution and the service of the Honourable Michael Harris at the outset I thought was one of the best. He served this province as Premier and was the member for Nipissing. I would, with his departure, want to wish him the very best for all of his contribution.

Perhaps his best contribution was to restore a bit of integrity into the political process, that politicians and a team running behind a leader could make promises and run and keep those promises. I am very proud of that. I think that set a new benchmark for politicians right across Ontario.

**Interjection:** He should pay for his own office.

**Hon Mr Baird:** The member opposite talks about the Premier's new responsibilities with Ontario's Promise. It says a lot that the first thing that he wanted to do when he left public service was to begin as a volunteer and to volunteer his time to a charity in Ontario that he helped found with the support of a good number of other leaders across the province of Ontario. Of course Ontario's Promise is a program helping children and youth, and I commend him for his involvement in that.



I did notice as well the throne speech had a few other memorable parts for me: "Responsible government knows its place. It understands where it does not belong and is prepared to get out of the way." I think that's been one of the cornerstones of the government over the past seven years: to focus on those priorities that really matter to families, whether it be setting an environment for job creation and economic growth to pay for the important priorities, like health care, from the family who is looking for cancer treatment for a loved one—that's a priority—to the parents who look to a good education in our publicly funded education system to provide a good start for their children. That's important.

The throne speech went on to say, "But responsive government also recognizes where it has a role to play to provide leadership and to take action in the best interests of all Ontarians." Sometimes in a market economy and a competitive economy there are people who can't compete. That's why one of the things the government has been working on in recent years has been providing supports to people and families with loved ones with a developmental disability, whether it's with respect to housing and group homes or day programs.

One 78-year-old woman came in to see me in my constituency office and had quite an effect on me a number of years ago. When her child was born some 55 or 58 years ago, the doctor said she should put her son away in an institution because he was born with a developmental disability. She said no and she provided the love, care and support for that child for many years. She didn't ask for anything from government. She didn't ask for any support. But now, at a time when her husband is going into a nursing home and her health is becoming frail, she's not able to provide the care in the future. She didn't even want a group home bed for her son. All she wants to know is that the care will be there.

One of the things the government is doing is making a substantial investment in helping people with developmental disabilities, not just with respect to day programs and special services at home and group home accommodation, but in addition to another range of supports. That is good news, because government does have a role to help those people who are most vulnerable and who need support. That is certainly emphasized in the government's strong commitment and action to help people with developmental disabilities in recent years. This is not a group that is a loud one. It's not a large one. It'll never be on the radar screen like the economy and jobs, like health care and education. But in many ways it is every bit as important to those people who depend on support from their community.

The throne speech talked a lot about public education. That's something which is incredibly important in my constituency, in Nepean-Carleton. I was pleased the other day to attend the opening of Adrienne Clarkson Elementary School, which was opened by the Ottawa-Carleton District School Board. That's a school in the Davidson Heights part of Nepean-Carleton, in south Nepean. The school opened in January, but they had the official

opening just the other day. That was able to be built because of a change in regulations to the Education Act that allowed development charges to be billed, something that I worked hard on, as I know did the school trustee in that area, Norm MacDonald. His efforts and those of the entire school board and their staff made that a reality. That's good news for families. It does remind me, though, that there's an important need in the area of Stittsville, in my community, for a new elementary school. That's why I spoke recently to the Minister of Education and my cabinet colleagues about the importance of that: that children are being bused out of their school and out of their community to another community. That community desperately needs a new school, as does Greely, Ontario. It's something that I continue to work hard on.

On a vu dans mon comté il y a plus d'un an une nouvelle école, l'école Pierre-Elliott-Trudeau, qui a été ouverte pour servir la communauté franco-ontarienne de Nepean-Carleton. Je suis très fier de voir leur succès dans les premières quelques années dans mon comté. Quand j'ai été nommé ministre délégué aux Affaires francophones—je regarde mon cher collègue le député de Prescott-Russell, qui était ici—il n'y avait aucune école francophone dans mon comté. Maintenant nous avons une nouvelle école élémentaire et une nouvelle école secondaire parce que le conseil scolaire francophone a pris des décisions difficiles pour trouver du nouvel argent pour la construction des nouvelles écoles. Je félicite le conseil scolaire dans ce cas.

I was also pleased in the throne speech to see that it said, "Your government remains committed to choice and fairness in Ontario's education system," with respect to the equity in education tax credit. This is something that is important to a good number of constituents in my riding of Nepean-Carleton. I am privileged to represent a large number of Ottawa's Jewish community, and a lot of parents and families make decisions to send their child to a parochial school because it's something that's important to them culturally. Rambam Maimonides in Nepean is one and they do a terrific job in educating young Jewish children. There are a lot of middle-class families who have had to forgo the second car and a lot of luxuries because this is something that is important to them for cultural reasons. It's something I've long held as an important priority, as it is in the community of Metcalfe in my constituency, where there is a Christian reform school. There, a lot of parents really struggle. They volunteer at the school regularly to try to help make ends meet and provide a good education for their children. This will provide a small measure to those families.

Neither of these schools fit the definition that some of the opposition like to talk about, being private schools for the rich or the wealthy. If you visited either of those schools, you'd see that the overwhelming number of families who send their children there are of modest means. That would be reflective of the immediate income in our community. It's something that is important to

them. I was pleased that the then-Minister of Finance, Jim Flaherty, was able to visit one of the high schools, Redeemer Christian, which was one of the best in the standardized tests and did terrifically well. He was able to visit the principal and talk to some of the parents there about that, so I was very pleased about that.

I was also pleased, in Premier Ernie Eves's first throne speech, with this, obviously talking about the fiscal situation: "...will require continued sound fiscal management and difficult decisions. Your government is prepared to make those decisions and take the necessary action to keep Ontario strong and growing." That is something which, certainly as the Minister of Finance for six years, the now-Premier Ernie Eves made as a hallmark, that economic growth and job creation are absolutely essential for our health care policy. If we're going to fund a first-class health care system, we've got to have a growing economy. If we're going to be able to meet the demands, whether it's on textbooks or an early math program that had been announced recently by the Premier, we've got to have a growing economy. When people are working and paying taxes and not receiving public assistance, there are more resources to help important public priorities.

In my community there have been some layoffs at both Nortel and JDS Uniphase, but the economy is responding and is rebounding quite well, though there are a lot of people out of work and looking for employment. We've got to be mindful that while the economy is beginning to do well, there are some people who still look for work. That's why job creation, economic growth and the government setting an environment for job creation are of great importance.

It's not just the large enterprises in Nepean-Carleton; we have a lot of businesses in the former township of Osgoode, in Metcalfe, in Greely, in Osgoode village, and in the rural areas surrounding those which are really struggling, as they are in Manotick, North Gower, Richmond or Munster Hamlet because of the property tax rates. There is not a recognition that there should be a rural subclass that would allow those stores to compete on a level playing field. In fact in the Richmond mall, if you visited my community, you'd see that some of the stores are empty; they've been empty for quite some time. They can't even get the rent to pay the property taxes on these places, and this is something about which I've certainly talked to the former Minister of Finance. He came down to Nepean-Carleton last year and met with folks.

1650

I had a good discussion the other day with the current Minister of Finance to tell her about how important that issue is. My colleague Marcel Beaubien has done a lot of work with respect to property taxation issues, and we hope we can work to try to address that concern, because the economic health of rural communities, even within the city of Ottawa, is incredibly important. In Ottawa for many years we made a mistake. We put all our eggs in the economic basket of the federal public service, and

that went through a big downsizing between 1994 and 1996. We don't want to make the same mistake by putting it just in the high-tech basket and the federal government basket. Small and medium-sized enterprises in Nepean and in the rural part of the region play an important role in the economy.

I also was pleased to see in the throne speech recognition of the plague that is domestic violence. The speech said, "Your government has zero tolerance for violence against women. It is encouraged by the progress that has been made and it will continue to build on relationships" with those who work in this sector. This is something again that I think is incredibly important. Two years ago in the now-Premier's last budget as Minister of Finance, there were two programs that I worked very hard to have put in: a program for \$5 million to help the child witnesses of domestic violence was put into place—the real tragedy of domestic violence is if you don't start to deal with it more comprehensively with children, young girls might think this is acceptable and young boys might think this is somehow normal or accepted or condoned behaviour. If you want to break that cycle, you've got to start with young children.

There was also a \$5-million commitment that was implemented to allow some of the shelters in Ontario to hire transitional workers to help women get on with their lives, to help them get into housing and other supports.

In the budget last year the finance minister, Jim Flaherty, funded a project that I pushed for quite hard: \$9 million of operating money and \$27 million of capital funding to help build more than 300 new shelter beds across the province. For a woman fleeing domestic violence to finally have the courage to make that decision to seek support only to find there is no room at the inn is a tragedy. That's why we want to expand that. I was pleased to see the renewed commitment in the budget to that area and look forward to the budget by the Minister of Finance for the second and third years of that initiative.

Already, though, my community has had two important announcements. We were able to open a francophone shelter for battered women in the east end of Ottawa, 15 or 25 beds, which will help meet the needs of francophone women, which hasn't, obviously, been dealt with as strongly as it needs to be. Also, in the west end of the region we'll open a new 15- to 25-bed shelter run by the Kanata, West Carleton and Goulbourn Community Resource Centre. That's an excellent group with a long-standing tradition in our community of providing good supports.

These are three or four issues that I worked quite hard on in the last two or three years as a member of the Legislature, and I'm pleased to see them go on to fruition. Although they often don't get enough public attention, they are incredibly important. The tragedy with opening up these new shelters is that the real goal is to shut them down. We work toward the day when those will not be required and all people, women and children particularly, can live without fear of violence.



The throne speech talked a lot about health care. This continues to be a big priority for people in my community. The Queensway-Carleton Hospital, with which I worked quite closely, is still having some not insignificant challenges. They underwent an operational review, and the government was able to respond with a \$12.9-million increase in their baseline funding. We continue to work with them on, like I said, some not insignificant challenges, but we've taken some big steps forward. Too often those funding adjustments are made on a one-time basis, and that was an important change for the hospital.

A big change, though, that happened with respect to health care in my community was with the Ottawa Hospital. There were real problems at this hospital 12 months ago. The hospital had the largest deficit of any public sector organization, save Ontario Hydro or one of its successor companies. The Ottawa Hospital faced some real challenges, and I think it's started to deal with some of the challenges with respect to health care. This was not an issue that I felt the government could ignore any longer, and the Minister of Health stepped in and gave notice that he would appoint a supervisor to the Ottawa Hospital and took the bull by the horns. I worked quite hard on that initiative and pushed quite hard for that as the member for Nepean-Carleton and a representative of people in my community.

When we gave notice of the appointment of a supervisor, Dennis Timbrell, a former Minister of Health in the province and the former president of the Ontario Hospital Association, took on the position and did a tremendously good job. He's been very well received by all parts of the community.

#### *Interjection.*

**Hon Mr Baird:** I think members opposite, and the member for Toronto who is speaking, would find there has been widespread support for his actions as supervisor of the hospital, and he's been very well received. He's conducted himself with great care over the past year and has done a good job. He looked at the management structure of the hospital and recommended the appointment of a new president and CEO, Dr Jack Kitts, someone who is incredibly well respected in the Ottawa community. He lives in Nepean and is very well regarded. He's from eastern Ontario. I think Dr Jack Kitts is from Barry's Bay, is he not?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** His cousin.

**Hon Mr Baird:** His cousin? I didn't even know that. He's the cousin of one of my colleagues opposite.

I never realized just how popular this gentleman was around the hospital until two things happened. One was when his nomination was announced. The group of employees at the hospital—nurses, workers and the medical staff—gave him a standing ovation for about five minutes, which said a lot. After three or four months at the helm—I was at the Loblaws a few weeks back, and a nurse came up and told me about the huge difference in

the morale at the hospital since Dr Kitts's appointment. That has been very, very well received. He will provide good leadership. He was just confirmed by Mr Timbrell as permanent president and CEO of the hospital.

What that has proved to me is that good people matter, and you've got to have good, competent people at the helm. Dr Jack Kitts is someone who will do an outstanding job and really has full support in the community, which is good, as does the new senior vice-president, Gino Picciano, who has done a lot of work at the hospital in terms of some of the plans for the future of the hospital and on the corporate side. He has a background with the Queensway-Carleton hospital. He also comes from Nepean, south Nepean. He's got a lot of community supports and management skills and attributes and real knowledge of the broader health care system in the Ottawa area. He'll be a very competent administrator. So we've got a great management team.

The government was able to come forward this past year with somewhere around \$50 million of base adjustment in funding for the hospital, money that was there but there wasn't the confidence that it wasn't just putting money down an empty hole. The government was able to come forward with that financial commitment last fall. Through the management efforts Mr Timbrell and his entire team at the hospital—whether it's advice from the staff, the nurses, the medical teams—they were able to find an additional \$25 million in operational efficiencies and adjustments and whatnot to bring in a balanced budget for the hospital. It does have its challenges, like every other hospital in Canada, but as one of the biggest hospitals in Canada, it's much better poised to deal with those challenges. That'll be good news.

The Minister of Health was in town not long ago and was able to announce the second part of what amounts to about \$108 million of \$160 million in the first phase of the capital construction, which will see a new tower at the general campus and expansions at the Riverside and Civic campuses, which are important. The future of the Civic campus is important to a lot of folks in my community, that it be maintained as a tertiary care site and not be downgraded to a community hospital, which I think is good. That's definitely the direction the management of the hospital is going, which I think is good news.

Finally, I was pleased to see in the throne speech—and then I'll conclude my remarks here—the reference to agriculture. One of the Premier's biggest priorities has been to reach out to the agricultural community. People in my community and I were very pleased with the former Minister of Agriculture, Mr Coburn. But there's a lot of excitement in my community about the new Minister of Agriculture, Helen Johns. She's very well regarded. She is already building a big cheering section around the cabinet table for her efforts. I've spoken to her already. I think she hadn't even been sworn in when I was already talking to her about the importance that corn producers as well as soybean producers place on an agricultural safety net. That's something that's important.

**Mr Steve Peters (Elgin-Middlesex-London):** Ask the corn producers how happy they are about market revenue right now.

**Hon Mr Baird:** I'll tell you that corn producers have a good advocate in the Minister of Agriculture. I have a lot of confidence that with the support of all members of our cabinet, caucus and this House, she'll do a phenomenal job to represent the interests of agriculture.

*Interjection.*

**The Acting Speaker:** Would the member for Elgin-Middlesex-London come to order.

**Hon Mr Baird:** There are a lot of dairy producers in my community as well who have concerns. The Minister of Agriculture has already generously accepted my offer to come and visit agricultural producers in Nepean-Carleton and in the eastern part of Ontario. She was already in Lanark county in her first week and a half on the job, so she's a minister who knows where Ottawa and eastern Ontario are, and that has pleased.

1700

I am pleased with so much of what's in the throne speech. It provides a lot of hope and opportunity that some of the many challenges the province is dealing with will be addressed. We're going in the right direction and need to continue to recommit ourselves to the solutions at hand.

**The Acting Speaker:** Comments and questions.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je voudrais d'abord féliciter le ministre délégué aux Affaires francophones, le député de Nepean-Carleton, d'avoir adressé l'Assemblée en français. Cela démontre le respect que cette Assemblée doit toujours avoir pour la communauté francophone, qui compte plus de 535 000 francophones en Ontario. Merci, monsieur le Ministre.

Selon les paroles de mon collègue le ministre délégué aux Affaires francophones en référence avec le discours du trône, je m'aperçois que l'on dit toujours qu'on doit réinstaurer l'intégrité et la confiance en son gouvernement. Lorsque nous regardons, le gouvernement a toujours une responsabilité de s'assurer d'un leadership. Lorsqu'on parle de leadership, on doit regarder pour l'avenir de notre jeunesse, l'avenir de l'Ontario.

Si nous regardons l'intérieur de ce discours du trône, le contenu du discours du trône, je m'aperçois qu'à bien des endroits nous regardons à balancer notre budget—je dis « balancer » le budget, mais non au détriment de l'avenir. Je regarde le gouvernement. Qu'est-ce qu'il a fait jusqu'aujourd'hui ? Tout d'abord nous avons procédé à la vente de la 407 pour balancer notre budget. Nous avons procédé au délestage aux municipalités afin de balancer notre budget. Nous avons procédé en disant aux municipalités : « Vendez votre hydro local municipal afin de balancer vos budgets. » Et aujourd'hui, parce qu'on veut balancer le budget de la province, on veut maintenant vendre l'Hydro One, et peut-être aussi procéder à la vente de casinos afin de balancer nos budgets. Est-ce que c'est de la justice pour l'avenir de notre jeunesse et de l'Ontario ?

**Mr Tony Martin (Sault Ste Marie):** It indeed gives me great pleasure this afternoon to be here to respond to the comments from the member for Nepean-Carleton, someone who when he was minister did more to diminish the integrity of government by way of his attack on the poor than I think any minister I've experienced in my almost 12 years here, and to note that in this speech from the throne that we all received last Thursday, there doesn't seem to be any real appetite for change by this government where that is concerned.

There is nothing more fundamental to government and its role than that which it does on behalf of citizens in its jurisdiction who are at risk and marginalized, who are poor. This government, from the very day it took office, indicated it was going to attack the poor, and continues to do that to this day.

It had an opportunity last week to show a kinder, gentler and more compassionate face, it really did, and we were all of us waiting expectantly to see whether in fact they would put anything behind some of the words we were hearing.

For example, they could have increased the amount of money people on welfare receive or they could have increased the pension for those who are disabled in the province. They didn't do that. They could have stopped the clawback of the child tax benefit supplement that goes to families of the most at risk and vulnerable children in our communities. They didn't do that either. They could have announced a program of affordable housing. They could have increased the minimum wage. The list goes on and on but obviously it's this government's intention to continue to—

**The Acting Speaker:** Thank you. Comments and questions.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** It was interesting to hear the leader of the third party talk about a different throne speech, mentioning that our future would be better. He would like to take the people a few years back when we had high taxes, high unemployment, high welfare. What about the debt? A billion dollars a month. I think you were in power for some 50-odd months: \$52 billion, \$53 billion dollars that you increased the provincial debt. I would not call that a better future.

He also talked about affordable housing. I heard the member from Beaches-East York talk about affordable housing an awful lot of times. Yet for some reason we see fit to have a multi-residential rate that is four to five times higher than the single-family dwelling rate. Affordable housing means an awful lot to an awful lot of people, and whether you're paying \$500 a month or \$1,000 a month, it may be affordable to some people. But I would strongly suggest that when you're paying four to five times the tax rate that single-family dwellings are paying on their residential dwelling, it no longer becomes affordable housing. If we are really going to be serious about talking about providing affordable housing to the people of the province of Ontario, I would strongly suggest to the people across the way that maybe we



should be looking at what we're doing with the multi-residential rate in the province of Ontario. If we address that particular difficulty, maybe we will be able to provide real affordable housing to the people who really need it in this province.

**Mr David Caplan (Don Valley East):** I want to comment on the chief government whip's remarks. He quoted a few passages from the throne speech, and I wonder why he missed a few of these excerpts: "Ontarians have said they do not want classrooms and hospitals to be battlegrounds. Your government has heard that message." I would have expected the whole Tory bench to stand up and applaud that because that's what we've been saying on this side of the House for seven long years. That's a complete repudiation, in my opinion, of the approach that you've taken as a member of the cabinet of the previous government. I wonder why you didn't comment on that section, and I say to the chief government whip, maybe you will in your reply to my remarks.

Another one: "Your government remains committed to choice and fairness in Ontario's education system ... as it implements the equity in education tax credit." During his leadership run, Ernie Eves called this measure ludicrous. He called it ludicrous. Now he's committed to implementing it. Private schools are now going to be the recipients of public dollars. I wonder why—

**Hon Helen Johns (Minister of Agriculture and Food):** No, parents of kids in private schools.

**Mr Caplan:** Absolutely, my friend. This is a huge boon to the Upper Canada Colleges, the Ridley Colleges and others.

A couple of others: "Your government recognizes the private sector's contribution in our publicly funded [health] system.... Your government is committed to finding new ways to foster innovation, based on partnerships with the private sector." That's code for two-tier health care, not surprising from two-tier Ernie Eves and his health care minister, two-tier Tony Clement.

I wonder why the minister didn't comment on some of these parts of the throne speech. I can tell you that the people of Don Valley East have repudiated and rejected these kinds of measures, and if this is what you have to offer us, they will repudiate your government when you call an election a year from now.

**The Acting Speaker:** The associate minister and chief government whip has two minutes to respond.

**Hon Mr Baird:** I want to thank the members for Glengarry-Prescott-Russell, Lambton-Kent-Middlesex and Don Valley East for their contributions. But to the member for Don Valley East, I recall meeting him on a residential street not two weeks ago in the riding of Nipissing in North Bay, where he was very clear on how he thought the voters would repudiate the Eves administration in that by-election. I was very quiet and did not want to offer him any predictions outside of Orangeville's results, but he was very strong in his forecast. He said, "I can't wait till we have George Maroosis in the House," and so forth. I won't go on any further and I

won't tell you anything more. I have on some occasions been perhaps equally optimistic in my forecasts and as equally free in sharing my forecasts as the member, so I will say I probably have done many of the same things at other times.

Je voudrais remercier mon collègue le député de Glengarry-Prescott-Russell, le porte-parole pour les Affaires francophones pour l'opposition officielle. Je veux dire que, parmi tous les porte-parole de l'opposition avec qui je travaille, il est le plus constructif, et on a travaillé très bien ensemble pour trouver des résultats pour les francophones, juste comme le député de Timmins-Baie James et comme une autre collègue, la députée d'Ottawa-Vanier, et aussi mon collègue le député de Lambton-Kent-Middlesex.

I want to acknowledge him and thank him for his remarks and his knowledge, for his efforts and his leadership on the whole issue of property taxation. He's worked incredibly hard and I know his efforts will make a big difference in dealing with some of the challenges there.

I would be remiss if I didn't say to Will Stewart that I did lose the bet with the Sens, and I do apologize and I will pay up.

1710

**Mr Conway:** I want to say at the outset that I will be sharing my time with my colleague the member from Elgin-Middlesex.

There are two parts of the throne speech that I want to deal with today. The first has to do with the electricity policy, which is spoken about on pages 16 and 17 of the address read by His Honour on May 9; and a second part of my remarks this afternoon will concern a very specific concern I have about an education issue in my part of eastern Ontario.

Let me say at the outset that this session is going to be, and is already I think, largely focused on electricity. The Hydro question is one of the most important questions that this or any Legislature gets to discuss. We are at a critical point in that debate as we stand here today and in this session. I want to say, as someone who's been around this debate both in government and in the opposition for too many years, it is a matter of urgent and pressing necessity. I will say quite categorically that there are some major issues that must be addressed, and fair-minded members of this Legislature on both sides of the aisle and in all three political parties must acknowledge that there are some very real concerns that cry out for redress and attention.

I am completely upset, however, at the manner in which the current government is proceeding on this matter. I accept entirely that there is a range of positions on matters like the future of the transmission company or how you proceed with the generation sector or what you intend to do with consumer protection in the retail part of the business. But let me say the obvious. Few things are more important to the economic and social well-being of Ontario than electricity. It's a \$10-billion business. Electricity is a commodity without which we cannot operate

our homes, our businesses, our schools, our hospitals. We are for five months of most years a subarctic climate, and those of us who live in southeastern Ontario remember four years and some months ago what it was like for a million or so of us to experience 10 or 12 days of January weather without electricity: the famous ice storm.

When I hear free-marketers talking about electricity as a commodity comme les autres, I think, "What fool's paradise are you occupying?" Electricity is absolutely critical and, unlike just about every other commodity I can think of, you cannot store electricity. When you need it, you must have it instantly. In the digital economy, it's even more important.

We have spent decades in this province putting this system together, the transmission system. The transmission system was put together over many decades and through at least five or six provincial general elections in between about 1920 and 1950. I accept the argument that there may be a range of opinions as to what you might want to do with the electricity highway. I happen to strongly believe that it should remain in public hands. I know there's another position.

I am insulted, and the people of Ontario and every member of this Legislature should be insulted, by the manner in which this debate is proceeding. Can you imagine standing up one day, as Mike Harris did in December after the Legislature adjourned for Christmas and what turned out to be a four-and-a-half-month break, and saying, "We are going to sell Highway 401 from Cornwall to Windsor; Highway 400 from Toronto to Barrie; Highway 404 from Burlington to Woodstock; Highway 417 from Hawkesbury to Ottawa. We're going to sell it to private interests. It's all going to be done before you come back in the spring. And don't worry; we'll let a regulatory framework protect your interests?" You would not imagine it because it would never happen. The trucking industry, the chambers of commerce, to say nothing of millions of travelling motorists, would rise up as one and say, "Nuts." That's what we propose to do, apparently, with the electricity highway, an even more valuable highway than the one I just mentioned on the ground.

I say to my friend Ernie Eves, if that's what you want to do, you've got to come to this Legislature with a clear plan, explain why in the public interest you want to do this and subject that plan to a rigorous cross-examination, not just by members of the Legislature but by knowledgeable and thoughtful specialists in the area. And if you win the case after that process, good for you.

But what are we getting? We're getting a debate that's largely confined to the business pages of the *Globe and Mail* and the *National Post*. Should we be surprised? It's a \$10-billion annual business. There are fortunes to be made by investment bankers and brokers and special interests everywhere. You heard my friend Phillips, late in question period, comment that the current CEO of Hydro One has a contract which looks like there is a very substantial pecuniary interest to her if Hydro One is privatized. Good for Eleanor.

She wrote me a shirty letter today about something I said yesterday. Too damn bad, Eleanor, because I am upset about what you've done through your agents to those 200,000 Ontarians who signed up with those retailers who are acting as agents for Ontario Hydro Energy. Many of you will have heard this story of people showing up at senior citizens' doors with the full regalia, making it very clear that they were Ontario Hydro. My dad was one of them. He wouldn't have let those people in the door if he had not thought they were, as they advertised themselves to be, Ontario Hydro. What does he find out, months after he signed the contract? On the eve of market opening, they sold the entire portfolio of 200,000 electricity contracts they had gathered, on the basis that they were the crown company, to Union Energy, a wholly owned subsidiary of EPCOR of Alberta—200,000 people, many of them senior citizens. That's just outrageous.

That's just one example of what's going to come back to haunt us. Special interests everywhere. I can't really complain about that other than to maybe highlight it. I know who's out there. I know that the bankers and the brokers and the plutocrats are lined up to get their hands on this gravy train. Government, qua government, has real corporate interests—and I don't even mean this as a partisan criticism of the current government. The Ontario government has a substantial corporate interest in this. Who's looking out for the ratepayer—the farmer in Renfrew, the suburban homeowner in Orleans, the small business person in Arthur, the senior citizen in Scarborough—four million-plus of those people? Who's looking out for them?

Now I am told, "Oh, don't worry, we've got a regulator." Well, what have I seen about the regulator's function on the early part of the business, the easy part of the business, regulating these unscrupulous retailers who have, in some cases, behaved absolutely outrageously? The worst complaints in my area have come from Hydro One's agents going into senior citizens' homes after dinner, before dark, grabbing bills, misrepresenting themselves, taking scissors out of their pockets in front of 75-year-old women, cutting bills in half and walking out the door. Those are our agents. Wait till those 75-year-olds find out in a couple of months' time what the hell they signed up for. Eleanor, be shirty, because you're going to have a lot to answer for.

"Oh yes," she says to me in the letter, "Not to worry. We told everybody April 25, four days before market opening, that we had sold the portfolio." Yes, you did. Neither you nor Deb Hutton said months before, "This was our plan." You know why you didn't? Because had you come clean with that plan, you wouldn't have had 200,000 contracts. You probably would have had one tenth of that, if you were lucky.

Who's looking out for the public interest? Who's looking out for the consumer's interest? This is not easy. In some ways, Hydro is our domestic Palestine. It is a terribly intractable problem. Let me remind people that the problem we set out to fix five years ago is over in



generation. It's not in transmission; it's in generation. Fifty per cent of our cost, 80% of our trouble and 90% of our debt is over in generation. We are going about the business of fixing things that were not a big problem. We are about to sell enormously important public assets that, once sold, we'll never get back.

1720

I will say, as I take my seat, I've known Ernie Eves a long time. He's a neighbour. I remember the day that he got elected 21 years ago by six votes. We haven't always agreed on public issues, but I know him to be, in my experience, a good and honourable man. I'm telling you, I will go ballistic, and I hope a lot of other members will too, if the plan is going to be to bring to this Legislature enabling legislation that is just a framework to allow any number of possibilities about the future of Hydro One, expect that to be passed and then give cabinet and the executive branch of government a free hand to do whatever the hell they want in July and August. I believe that won't happen. It better not happen, because if it does, this Legislature, as a self-respecting body with clear responsibilities, many of which are fiduciary, will not be treated like that.

I accept that there is a range of opinions. That would be an outrage on this Legislature and on the people of Ontario, and I fully expect it will not happen. But let me say that if it does happen, I will personally do everything I possibly can, within and outside of the rules, to ensure that that kind of outrage is not allowed to pass.

The public interest demands that notwithstanding the gravity of the issues in the electricity sector—and there are serious and significant problems, largely in generation, that none of us are going to like around here—I will not stand by and see the old government Hydro policy given yet another lease on life. And what's that? Act quickly, act precipitously, all kinds of promises and worry about the performance later. Treat the Legislature like a collection of mushrooms in the dark. That's, in part, why we're in the problem we are in today. Procedurally as well as substantively, I hope and pray we have learned from some of those mistakes. Over to you, Mr Peters.

**Mr Peters:** It's nice to see the government finally acknowledge agriculture. After two throne speeches and a third throne speech in three years, they finally use the word "agriculture." I want to congratulate the new Minister of Agriculture, but I want to remind Mrs Johns to watch and don't get caught in that revolving door, because you're the third Minister of Agriculture we've seen in this province in 14 months. We need to see a commitment to agriculture.

We saw some lip service paid to agriculture in this throne speech. We saw the commitment to once again consult with the farmers on June 6. How long are you going to continue to consult for? Why don't you stop consulting and start taking some action and start doing some things for the good of agriculture in this province? The farmers have had enough talk; they want to see some action, and we haven't seen action.

We've heard more talk about Bill 81 in this throne speech. But you know what's lacking in this? No mention of the regulations, no mention of the dollars that are going to be needed to implement this legislation. There's no doubt we need province-wide standards. This patchwork of individual municipal bylaws is not the way to go. We need Bill 81, but it's missing some components; silence, though, on that from the throne speech.

I think what's worst of all is the silence on safety nets in this throne speech. We've heard much talk over the past year about a made-in-Ontario safety net program for the farmers of this province. But you know what? Those words were not contained in this throne speech. Why not? I ask the Minister of Agriculture, why not? Where's your commitment to safety nets? Even the Ontario Federation of Agriculture: "Throne speech lacks key ingredient for farmers"—key ingredient—"A failed deal without this key ingredient." What's missing were the details of plans to implement the made-in-Ontario safety net program. We didn't hear it. Farmers need to hear it.

I know we can hear this rhetoric from the other side, "Well, the federal government has to do its part." I'll repeat the words that I said yesterday. I will say it again and put this government on notice, to the Minister of Agriculture, that waiting for the feds to act is like waiting for hell to freeze over. I'm putting the commitment and the challenge out to you now, because we put this challenge. Dalton McGuinty is on the record of challenging the federal government to come to the table, and the federal government with the lack of action—you can act; you can unilaterally act. We know that the safety net programs in this country are cost-shared on a 60-40 basis, but you can go beyond; you can do more. Alberta does more; Quebec does more. But you know what the minister's own constituency assistant, Ken Kelly, says? He says in the Valley Farmers Forum, talking about Ontario and coming to Quebec, "You're mixing apples with oranges." We're not mixing apples with oranges. We need to see a commitment from this government to agriculture, and we haven't seen it. I think it's wrong. We see the Americans come forward with \$190 billion in subsidies for their farmers. We need to see Ontario stand up, and we haven't seen that. We saw lip service paid to agriculture in this throne speech, but we haven't seen action.

The minister is coming to continue to consult. She's coming into my own riding. It would be nice to be invited to a meeting taking place in my own riding, but I'm not invited to a secret, invitation-only, closed-door meeting. Invite the agriculture critic to come out so you can see first-hand what's going on in Elgin county and the disastrous policies that you're putting in place and how you're hurting the farmers of this province. Come on, invite me. I'd be happy to be there, Mrs Johns.

It's obvious they are finally recognizing that they are vulnerable in rural Ontario. We've been through three ag ministers. We've seen rural Ontario abandoned by this government, and all of a sudden now, with a new Premier and an election looming, they know they've got a

problem in rural Ontario. So now they're starting to talk. You've talked but you haven't acted, and that's what we're waiting for. The farmers of Ontario are waiting for action.

You know something else that would have been lovely to see in this throne speech? We saw with this new cabinet appointed the splitting off of rural affairs. We now are back to the old day of OMAF; RA is off on its own. But the citizens of Ontario, the farmers of Ontario, are still waiting for the details of what this new ministry looks like. What financial commitment is going to be there, Minister, and when will we know? I hope you take the opportunity with one of your two-minute sessions to stand up and tell the farmers of Ontario today what the goals and the mission of the Ministry of Agriculture and Food are all about. What is RA? And where is OSTAR-RED going? Is it staying with you or is it staying with Minister Coburn? Where is Healthy Futures going? Is it staying with you or is it going with Minister Coburn? These things need to be publicly stated.

Tell us, is there a fight going on? Are you each trying to decide who's going to be the one who goes and hands out the cheque and smiles real nice and says, "Look what we did"? Who's going to do it? We want to know. The farmers of Ontario want to know. When are you going to come clean and tell us what OMAF looks like? Please, please, do that, because we don't see those details.

Let's talk about some other things that aren't in this throne speech.

Where's the pledge to stop the sale of Hydro One? We heard my respected and learned colleague come forward with a great many details. The message changes on a daily basis on the other side. Why don't you just stand up, do the right thing, do what the people of Ontario are saying, and stop the sale of Hydro One? But no, you didn't have the guts to do that and you still don't know what you're doing. It's obvious, when you listen to the Premier and you listen to the Minister of Environment and Energy, that there's so much disarray over there, you don't know what you're doing. Why don't you do the honourable thing and put a halt to it?

Now let's talk about something else. Those of you who are former municipal politicians on the other side had better be very, very wary of these tax incentive zones, because one of the great things that we've enjoyed in this province as municipal politicians is a level playing field, so St Thomas doesn't compete with Aylmer, doesn't compete with Woodstock, doesn't compete with Stratford. The days of bonusing are gone. Bonusing industries and bonusing businesses to come to your community are long gone, and we don't want to bring those days back. But with these tax incentive zones that you're putting forward, you're bringing those days back again.

Like everything else, you want to take us down the road of the Americans. You want to take us down the road of Alabama and Mississippi. This is Ontario. We don't want bonusing in this province. We want people playing on a level playing field, and you don't seem to be

doing that. I think we need to be extremely concerned about that.

1730

I want to take this opportunity to talk about a couple of other issues. The chief government whip talked about health care. He'd better be worried about what's going on at CHEO because I'm worried about what's going on at Children's Hospital of Western Ontario as we wait and wait and wait for a province-wide pediatric review. The Minister of Health hasn't come forward with that report because he was out campaigning.

What I'm concerned about is that there's going to be a message in that report to centralize services at Sick Kids' Hospital, and that's wrong. We need to have a regional network of children's services in this province.

I also want to talk about St Thomas Elgin General Hospital and the funding cuts that you've made to that hospital, forcing them to cut rehab programs. Do you know what the hospital is saying? "Go to the private sector. The private sector can deliver those services." Well, it's wrong. Two-tier health is here. This government is bringing in two-tier health.

**Mr Martin:** I am pleased to respond to the speeches by the member for Renfrew-Nipissing-Pembroke and the member for Elgin-Middlesex-London, and to say that they've touched on two very important elements of society today in Ontario, two elements of the economy that support civil and intelligent development of community in this province, and that's the issue of hydro. No matter how you cut it, there is nothing more important to the maintenance of an economy that's stable and creates confidence in the investment community than the guarantee that you will have affordable and reliable energy when you need it to produce whatever it is that you're making so that we can sell it then in the global market, as we're into at the moment, at a competitive rate.

In my view, probably only one other thing compares in terms of creating competitiveness for this province to electricity and the contribution it has made to different parts of this province, in particular northern Ontario, and that is health care. Any studies that are done that look at the competitiveness of our province point to two things that we have going for us: intelligent decisions made by government years ago to keep hydroelectricity in public hands and to develop a medicare system, a health care system, that is owned and delivered and run by government. It provides for us a huge competitive advantage, and to think that this government is—if you look at the speech from the throne of last Thursday, there really has been no change—continuing down a road to privatize both those very important institutions.

**Hon Mrs Johns:** I'm going to keep the bluster down. I think we've had enough of that for 20 minutes. So let me just say right off the top that we were very thrilled that the member from Elgin-Middlesex recognizes that the agriculture portion of the throne speech was very substantial this time. In fact, we talked about the farm unit needing to be a viable economic unit and, without talking about a budget, that talks to the viability of the agricultural community in the province.



We also talked about Bill 81, which was of course the nutrient management bill, which all of rural Ontario is waiting for. He just forgot to mention that. In the three days we've been here we have already got through second reading. I have asked the members opposite to give us unanimous consent because they offered that in December, but that hasn't happened, so out we go yet again to committee and then we come back in for third reading of the bill, when we all know that this bill has received the most consultation of any bill in the last two or three years. So from that standpoint I'm disappointed, but we've come to expect the co-operation we get in this House, so we will continue to move forward with it.

He then raised the issue about the made-in-Ontario safety nets. We talked about a course of consultation that the Premier is having with the agricultural community because it's very important for us to hear from the agricultural community. That actually was a request by the Ontario Federation of Agriculture made directly to the Premier during the leadership campaign, so I'm surprised that he's not in favour of that. The agricultural community speaks and asks for and receives, and you would think that the opposition critic would be saying what a good job that was, but that's not to be today. When we finally get to the spirit of co-operation in agriculture I know that we will go further as a nation and as a province of Ontario.

**Mrs Sandra Pupatello (Windsor West):** I thank the two MPPs on our side of the House, Sean Conway and Steve Peters, for their remarks regarding the throne speech today. What they tell us is what we on this side of the House agree: the throne speech gives us no indication of where this government intends to go in this next year. Everything that we heard via the speaker the other day in this House is more rhetoric of days past, more policy statements that mean absolutely nothing. It's no wonder the government is losing credibility every day with every group out there that is wildly affected by the workings of the government of Ontario.

In the area of health care, not one new initiative came forward in this throne speech—not one new initiative. You talked about primary care reform, that now you are going to have 80% of doctors signing on to these new networks. That's what you said last year and, in fact, you're still down to less than 2%. You have 15 pilot sites operating, and not operating very well. Your own policies will be your own undoing. You talked again about cancer treatment. You don't have the centres you announced earlier up and running.

All of the things that we heard made this speech an absolute snoozer the other day. There was not one new invigorating idea of what we are going to do in the government of Ontario to actually help people; just more of the same, and more of that same being nothing but rhetoric.

What we see in home care today existed last year and the year before, and the problems get worse. The government's own policies are creating tremendous angst in the home care centres and this government has yet to

respond. None of that was addressed in the throne speech. We see none of those pressing issues actually being addressed, but just lip service being paid to it.

I look forward to my own opportunity to discuss at length the throne speech, but in the meantime we caution you to pay attention keenly to the words of our two colleagues today in the House, both on hydro issues and on agriculture issues, where they have enough experience to say that this government is showing absolutely no vision.

**Ms Marilyn Mushinski (Scarborough Centre):** I don't know where the people on the other side of the table have been. Obviously, they didn't listen to the throne speech last Thursday.

It's interesting, because I heard the member for Windsor West say that there was not one initiative announced with respect to health care. I heard the member for Elgin-Middlesex-London talking about former municipal councillors. When I was a member of a former municipal council in Scarborough for 12 years, I also happened to sit on the local general hospital for nine years, and it seems to me that for nine years, we were begging members of the Peterson government for an MRI unit and for renal dialysis. Within six months of our government being formed in 1995, we had an MRI machine and a renal dialysis centre, and we now have a satellite renal dialysis centre that serves an additional 400 patients in the city of Scarborough.

If you look at the number of MRI machines that have been completed or installed in hospitals, it has increased by almost 400%, from eight to 41. So to suggest that somehow there have been no initiatives to improve health care I think is completely erroneous on behalf of my honourable colleagues on the other side of the floor, and I would suggest that they withdraw those comments.

**The Acting Speaker:** The member for Elgin-Middlesex-London has two minutes to respond.

**Mr Peters:** I'd like to thank the members for the Soo, Huron, Windsor and Scarborough for their comments. I want to address in particular the Minister of Agriculture's comments. Read the OFA's press release: "Throne speech lacks key ingredient for farmers"; a failed deal on safety nets; "what was missing were details of plans to implement the made-in-Ontario safety net program." Listen to that, Minister.

But perhaps you should be grateful that it's gone back to committee because, as we discussed last week—we talked last week about Bill 81—you expressed in that meeting to me that you had a number of grave concerns about things that were contained in Bill 81 and that you wanted to have some changes made to Bill 81 but you didn't have the opportunity to do it. Well, Minister, you've got that opportunity because Bill 81 now is back at committee. Why don't you come forward and tell the agricultural community of Ontario the concerns that you have with Bill 81? If you've got a problem with Bill 81, this is your opportunity to fix it.

**1740**

Please, Minister, tell us. Go into the detail of some of those issues your cabinet colleagues wouldn't listen to

you about that you wanted to bring forward that we discussed. Why don't you bring forward some amendments to Bill 81 to make it a better bill, a bill that you want, things that we discussed? Come on, Minister, come forward. This is your opportunity. Now that it's had second reading it's gone to the committee on general government. You can bring forward those amendments. If you think it's a flawed bill we're dealing with, Minister of Agriculture, this is your opportunity to deal with a flawed bill. If you want to make this bill better, Minister of Agriculture, make it better. This is your opportunity. Maybe you should be a little grateful that it has gone back to committee.

You talk about a spirit of co-operation. We offered to come back in January. We offered to come back in February. We were prepared to sit and deal with issues facing this province. But no, this government cowered and hid and stayed away from the Legislature. I think that is totally disrespectful to the citizens of Ontario.

**The Acting Speaker:** The member's time has expired. Further debate?

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** I'm going to share my time today with the member for London-North Centre. It's a pleasure today to rise in the House and speak on the throne speech. I'd like to first begin by thanking the Lieutenant Governor for addressing us last week and to congratulate him on his recent appointment as representative in Ontario of Her Honour, Her Majesty the Queen.

The Lieutenant Governor said a lot, despite some of the opposition's comments today. As we heard, the theme was very clear: our government is listening and our government is prepared to face Ontario's challenges head-on.

It probably won't surprise anyone in this House that I found the throne speech to be full of good news for my riding of Thornhill. Like many communities, my neighbours and friends are concerned about the state of education. For decades, education in Ontario was a plodding bureaucracy; well-intended, surely, but change was slow, parent needs weren't being met and students were not adequately prepared for future education or for the workplace.

I spent 11 years as a trustee on the York Catholic school board, four of those years as chair of the board. The York public board and the York Catholic board had a very good relationship. Those two boards worked efficiently and effectively with the taxpayers' money. We started a joint board consortium which is a consortium that worked on sharing services. We had a joint transportation initiative and joined services for purchasing. These two boards are an example of how efficiency within education works. I know today that the chair of the York Catholic board, Elizabeth Crowe, and the chair of the York public board, Bill Crothers, still carry on that excellent relationship.

During the time when I was a trustee on that board, one of the most frequent complaints I heard from parents was that the system did not respond to their needs or the needs of the students. A new, more rigorous curriculum

was essential. It will prepare students for challenges that they will face in life and will make them better citizens. Students I have spoken with feel confident in our reforms and know that they were necessary. Parents and students see the value in a standard curriculum across the province, ensuring continuity when students move from one school to another and that every graduate in the publicly funded Ontario school system will have the same excellent education. Employers know this, colleges and universities know this, and it was a long time coming. Combining this standard curriculum with standardized tests of students and qualification tests of new teachers ensures that the educators have the tools to educate and that students are learning effectively.

Despite the progress we made, some have criticized our past reforms as being too rigid. While there is value in a per-student funding formula that treats every Ontario student the same and gives them the same access to high-quality education, the student-focused funding formula has been criticized. So we struck a task force to review the formula.

Over the last few years, I've seen a nice display of theatrics by the opposition. By this point, it can almost be plugged into the formula: the government brings forth an initiative; the opposition complains about the initiative. The government goes out and consults; they say the government doesn't consult. When the government does consult, the opposition complains it's too broad, it's too narrow, it's too long, it's too short, or that too much time is spent in Toronto or not enough time is spent in Toronto. At some point, the opposition is just seen for what it is doing: opposing for the sake of opposing.

**Ms Mushinski:** That's because they don't stand for anything.

**Hon Mrs Molinari:** They don't stand for anything; you're absolutely right. They're just obstructive. That's all they do: they obstruct the process. It's one thing to propose a legislative program; it's another to complain and complain, with little basis for complaint.

Let me provide another example. For some parents and students, our reforms in the publicly funded system were not enough. No matter how much change we bring, some needs will not be met by our public or separate school systems. For these parents, it is a responsibility to educate their children in their faith and culture. Many parents from Thornhill have told me they are pleased that the throne speech confirmed our commitment to parental choice in education. Our government brought in the equity-in-education tax credit in order to support the rights of parents to educate their children outside the publicly funded system, most in a faith-based system.

First the opposition ignored the fact that many parents accessing the system are not rich but are often firmly in the middle class. Then they played on post-September fears by unfairly criticizing these schools as racist and houses of bigotry. Instead of legitimate debate about the role of the province in education or how best to accommodate faith-based education, the opposition just opposes. They say there were not enough restrictions on



the tax credit and independent schools would not be held to the same standard as publicly funded schools.

This government will work with parents and design a way to ensure the progress of students in core subjects as we implement the tax credit. The more I hear and read opposition criticism, I wonder if they are indeed opposed to the tax credit or just opposed to the fact that the Progressive Conservative Party has a majority of seats in the Legislature and we've passed legislation.

Let's now consider the post-secondary education review. This is an issue near and dear to the hearts of many Ontario families, certainly near and dear to the families in Thornhill. Our government has made a long-standing commitment to ensuring a place for every willing and qualified Ontario student. This commitment is firm and unwavering. We also know that participation in our colleges and universities is increasing. More people are taking advantage of the opportunities that Ontario schools have to offer. More Ontarians are returning to school after a time away because of the value of a degree or a diploma. As a result, our government has initiated an unprecedented expansion of colleges and universities. An extra 73,000 student spaces have been committed across the province.

So many Ontarians recognize our commitment that there will be a space for them, and that enrolment projections are higher than they used to be. Some members of the opposition see that as a problem. In fact, it's a wonderful opportunity for Ontarians. More students will be able to access Ontario's second-to-none post-secondary education system and will be giving themselves an extra advantage in tomorrow's knowledge-based economy.

We've already committed an extra \$293 million for investments in teaching and supplies, and we will provide more resources to these institutions to meet student demand. Somehow I remain confident that someone will find fault with our increasing opportunities for students because despite our success in reforming other areas, such as health care, they continue to throw as many criticisms as possible hoping that some will stick.

Health care spending has gone up literally billions and billions of dollars since 1995, yet the opposition claims that the spending has been cut. Perhaps they are in need of a more rigorous curriculum with a special focus on math as part of it. Wonderful new initiatives, such as Telehealth, which save the lives of Ontarians and give them more confidence in our health care system, are ignored.

The throne speech outlined a few areas in which our government is showing great responsiveness to the needs of Ontarians. MRI machines use the latest technology to provide better diagnosis and allow patients to receive better treatment. They are generations ahead of X-ray machines. They are also more expensive and cost more to operate. Some things, however, are worth paying for. The health of Ontarians is one example. In York region we have the York Central Hospital. It's an excellent hospital that provides health care services for the needs of everyone in the region and also for the constituents in Thornhill.

Since 1995, 31 new MRI machines have been added. The total now is 43. We've nearly quadrupled the number of MRIs in Ontario, quadrupling the opportunity for Ontarians to get prompt diagnosis and a more reliable diagnosis and for their doctors to make more appropriate recommendations. But there remains more to be done. We'll continue to invest in new MRI machines. This is saving lives and the quality of life of Ontarians.

We are also moving forward aggressively in the fight against cancer, a horrible disease that has affected every Ontarian in some way. Everyone I know has either a family member or a friend who has had to battle with cancer. Some have won the battle and some have lost, unfortunately. In my community we continue to mourn the death earlier this year of Vaughan's mayor, Lorna Jackson, one of the best mayors we have had in the province of Ontario. Our fight against cancer must mirror the strength we've shown in turning Ontario around. Members of my community recognize that the changes we have made since 1995 were essential for Ontario and regions like York to get back on track. These changes have led to the creation of over 800,000 new jobs, allowed over 600,000 to escape the welfare trap, and have ushered in more responsible and responsive government.

Now we're at the dawn of a new era of prosperity and opportunity. The choices we make today will influence tomorrow. I would encourage members of this House present today to support the vision presented by the Lieutenant Governor last week and vote in favour of continued growth and success in Ontario.

**The Acting Speaker:** It being almost 6 of the clock, this House stands adjourned until 10 of the clock eastern daylight saving time on Thursday, May 16, in the year 2002.

*The House adjourned at 1754.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)		
Beaches-East York	Prue, Michael (ND)		
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		Chudleigh, Ted (PC)
Brant	Levac, Dave (L)	Halton	Agostino, Dominic (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Hamilton East / -Est	Bountrogianni, Marie (L)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hamilton Mountain	Christopherson, David (ND)
		Hamilton West / -Ouest	Dombrowsky, Leona (L)
Cambridge	Martiniuk, Gerry (PC)	Hastings-Frontenac- Lennox and Addington	
Chatham-Kent Essex	Hoy, Pat (L)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Davenport	Ruprecht, Tony (L)		
Don Valley East / -Est	Caplan, David (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Dufferin-Peel- Wellington-Grey	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council. Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
		Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Durham	O'Toole, John R. (PC)		
Eglinton-Lawrence	Colle, Mike (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Elgin-Middlesex-London	Peters, Steve (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises		
		Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
			Wood, Bob (PC)
Etobicoke North / -Nord	Hastings, John (PC)	London West / -Ouest	Mazzilli, Frank (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	London-Fanshawe	
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	Vacant	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

# CONTENTS

Wednesday 15 May 2002

## MEMBERS' STATEMENTS

<b>Ambulance services</b>	
Mr Agostino .....	87
<b>Tia Smith</b>	
Mr Barrett .....	87
<b>Police Week</b>	
Mr Levac .....	87
<b>Lorne Henderson</b>	
Mr Beaubien .....	88
<b>Provincial parks</b>	
Mrs Dombrowsky .....	88
<b>Ainsworth Dyer</b>	
Ms Churley .....	88
<b>National Missing Children's Day</b>	
Mr Wettlaufer .....	88
<b>Progressive Conservative Party</b>	
Mr Duncan .....	89
<b>Dairy farmers</b>	
Mr Arnott .....	89

## FIRST READINGS

<b>Groves Memorial Community Hospital Act, 2002, Bill Pr5,</b> <i>Mr Arnott</i>	
Agreed to .....	95
<b>Occupational Health and Safety Amendment Act (Workplace Carcinoma Committee), 2002, Bill 20, Mr Bartolucci</b>	
Agreed to .....	95
Mr Bartolucci .....	95

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr McGuinty .....	96
Mr Eves .....	96, 97, 99
Mr Bryant .....	98
Mr Phillips .....	104
Mr Stockwell .....	105
<b>Competitive electricity market</b>	
Mr Hampton .....	97, 98
Mr Eves .....	97
Mr Stockwell .....	98
<b>Health care</b>	
Mr Tascona .....	99
Mr Clement .....	99, 101
Mrs Pupatello .....	99
Mr Eves .....	99
Mr Hampton .....	101

## Post-secondary education

Mr Gill .....	100
Mrs Cunningham .....	100
<b>Ministry spending</b>	
Ms Di Cocco .....	101
Mr Clark .....	101
<b>Support for agriculture</b>	
Mr Galt .....	102
Mrs Johns .....	102
<b>Ambulance services</b>	
Mr Bradley .....	103
Mr Clement .....	103, 104
Mr Kormos .....	104
<b>Firefighters memorial</b>	
Mr Munro .....	103
Mr Runciman .....	103

## PETITIONS

<b>Hydro One</b>	
Mr Ramsay .....	105
Mr Levac .....	106
Mr Hoy .....	107
Mr Caplan .....	107
Mr Crozier .....	108
Mr Gravelle .....	108
<b>Rent regulation</b>	
Mr Prue .....	106
<b>Community health care centre</b>	
Mr Beaubien .....	106
<b>Doctor shortage</b>	
Mrs Dombrowsky .....	107
<b>Long-term-care facilities</b>	
Mr Martin .....	107
<b>Children's mental health services</b>	
Mr Gravelle .....	108
<b>Child care</b>	
Mr Caplan .....	108

## THRONE SPEECH DEBATE

Mr Hampton .....	109
Mr Baird .....	114, 119
Mr Martin .....	118, 122
Mr Beaubien .....	118
Mr Caplan .....	119
Mr Conway .....	119
Mr Peters .....	121, 123
Mrs Johns .....	122
Mrs Pupatello .....	123
Ms Mushinski .....	123
Mrs Molinari .....	124
Debate deemed adjourned .....	125

## OTHER BUSINESS

### Visitors

Mr Kormos .....	89
The Speaker .....	89
The Acting Speaker .....	109

### Lorne Henderson

Mr Hastings .....	89
Mr Bradley .....	90
Mr Prue .....	91

### Mental health services

Mr Clement .....	92
Mrs McLeod .....	93
Mr Hampton .....	94

### Correction of record

Mr Kormos .....	95
Mr Tsubouchi .....	96

### Unparliamentary language

Mr Conway .....	105
The Speaker .....	105

### Presentation of petitions

The Acting Speaker .....	109
--------------------------	-----

## TABLE DES MATIÈRES

Mercredi 15 mai 2002

## PREMIÈRE LECTURE

<b>Loi de 2002 modifiant la Loi sur la santé et la sécurité au travail (comité du carcinome d'origine professionnelle), projet de loi 20, M. Bartolucci</b>	
Adoptée .....	95

## DÉBAT SUR LE DISCOURS DU TRÔNE

M. Lalonde .....	118
M. Baird .....	114, 119
Débat présumé ajourné .....	125

## AUTRES TRAVAUX

### Services de santé mentale

M. Clement .....	92
------------------	----



CA 2 ONI  
X1  
-023

Government  
Publications



No. 5

N° 5

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 16 May 2002

Jeudi 16 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

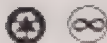
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 mai 2002

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ELECTRICITY AMENDMENT ACT (HYDRO TRANSMISSION CORRIDOR LANDS), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (BIENS-FONDS RÉSERVÉS AUX COULOIRS DE TRANSPORT DE L'ÉLECTRICITÉ)

Mr Sergio moved second reading of the following bill:

Bill 13, An Act to amend the Electricity Act, 1998 to ensure that the transmission corridors remain provincial assets to be used for public transit, recreational and similar purposes / *Projet de loi 13, Loi modifiant la Loi de 1998 sur l'électricité afin de garantir que les couloirs de transport demeurent des éléments d'actif provinciaux devant servir aux fins des transports en commun, des loisirs et d'activités semblables.*

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the member for York West.

**Mr Mario Sergio (York West):** Thank you very much, Mr Speaker. I want to thank you and the House for bringing forward my private member's bill.

**The Acting Speaker:** Pursuant to our standing orders 96, the member has 10 minutes.

**Mr Sergio:** I'm delighted to make some comments on my private member's bill. I'd like to formally introduce it as it is written. It is An Act to amend the Electricity Act, 1998 to ensure that the transmission corridors remain provincial assets to be used for public transit, recreational and similar purposes.

More in particular, it is to remove from the assets of Ontario Hydro, or its successor in the event of a sale, the hydro transmission corridor lengths. My bill does not deal with any other component of the so-called Ontario Hydro, or Hydro One, as we have heard more the past few months, but for the past year. My bill deals strictly with the hydro corridor lengths, those stretches of land, those swaths of land, that the electric transmission towers sit on. Those are the lands that we deal with specifically with my bill today. Another day, hopefully, we will deal with the other issues, and perhaps the even more important issue, Hydro One. But for today, we'll limit ourselves

to try and protect and deal in the House with preserving forever and for public use in public hands the corridor properties.

You may say, "Why this particular bill at this particular time?" Let me say this. With what we have heard in the past year or so from the former Premier and now Premier Eves, we want to make sure that indeed, if a sale takes place, if a sale is approved by the present government, those lands are protected forever.

Let me say at the outset that I, my fellow Liberal colleagues here, and my leader, Dalton McGuinty, are opposed to the sale of Hydro One. Let me say further that my constituency and the people I have spoken to are opposed to the sale of Hydro One. But the former Premier and now the new Premier have said, especially just prior to the last by-election, the Hydro One sale was off the table. On my part and that of the people I speak for, they don't want to hear of, they don't want to know of, any deal off the table, on the table, under the table—any sale, any lease whatsoever. They want no deals whatsoever.

Let me get to my private member's bill. I was saying before, why the bill at this particular time? Well, if the Premier is serious in what he has said to us, if the government is serious in making that promise and protecting the lands forever, then today I think it's a good time, it's a good initial point, to support this bill and say, "Yes, it is important that the lands remain in public hands and in the control of the provincial government."

We are dealing with swaths of land, some 55,000 acres. It represents an irreplaceable piece of property. It is priceless. It is one of a kind and it is unique. Let me say that they don't make it any more. There is one for us to use today and for the needs of tomorrow.

On April 3, because of some pressures, I suppose, the government, through its Ontario SuperBuild Corp—which is one and the other; it's the same—made this particular announcement:

"The province and Hydro One, with the assistance of the Ontario SuperBuild Corp, have agreed to protect the province's interests and ability to use lands along hydro transmission corridors owned by Hydro One for public purposes after Hydro One is privatized." Well, I have a problem with that. It further says, "Hydro One and the province have entered into a letter of intent that establishes the principals that will form the basis of a final and binding agreement to be completed prior to the Hydro One equity IPO."

Further in the same memo, it says that there is an option for the province to acquire these transmission

corridor lands. Shall we say that the lands are already owned by the people of Ontario and they are owned by the province of Ontario?

It further says, "In addition, Hydro One will be required to provide the province with 120 days' notice" in case they decide to sell it or sell any part or any interest in it, and that they would have 120 days to exercise it. Specifically, the province says that they "may" exercise. So there are too many "ifs" if the province indeed is serious, is sincere, in protecting the hydro transmission corridor properties.

Further, which gives even more worries, it says that if the province indeed will use that option and acquire the lands, they may sell it for transportation uses. This is why the bill is here today. We want to know from the Premier and from this government if indeed they are serious to protect these 55,000 acres of land, which are now in the domain of the public, in the domain of the Ontario government, if they will indeed protect the hydro transmission corridor lands.

1010

This is only one aspect. Let me read what Markham is saying, for example: "Whereas the impending sale of Hydro One has raised questions about the ownership of lands under the transmission lines and whereas the lands in the hydro corridors are one of the few publicly owned facilities that are ideal for consideration as rapid transit corridors...."

Presently, those lands are already in use by many agencies and municipal governments for transportation, public parking, commuter parking. They are being used for recreational uses such as soccer fields and many other uses. But most important, if we let go of those lands—they already form part of the transportation corridor—those lands will be lost forever, and we will have to beg whoever is going to be in control of them tomorrow to lease them, to use them, to buy them back. Let me say that it will be impossible for the people of Ontario, for any government in the future, to repurchase 55,000 acres of land, let alone that because of the particular position where they are located, they would prove a huge, huge embarrassment for any future government to try and deal with the legal tangle, the legal issues to buy back those particular lands. Because of their location, they would provide a huge problem for the local municipalities and abutting residential communities as well. It is for this reason that I call on the Premier today, that I call on every member of the House, that if we are serious in saying we are indeed going to protect the hydro corridor lands, approve this bill today.

Might I say that whatever happens to this private member's bill this morning may be the prelude of what is going to happen to the rest of the components of Ontario Hydro, and more specifically Hydro One. What happens to this bill here today is indeed the prelude of what is going to happen to Hydro One in the future.

If we are to take the Premier seriously when he says the Hydro One sale is off the table, then my message to the Premier and the members on the government side is,

if you are serious, if you were sincere when you told the people of Ontario immediately prior to the last by-election that the Hydro One sale was off the table and the hydro corridor lands are a part of that, then you have no reason not to support this private member's bill today. Failing that, I think the Premier and the government are sending a very definite and strong message to the people of Ontario that they will go ahead and privatize Ontario Hydro and sell Hydro One.

**Mr Howard Hampton (Kenora-Rainy River):**

Thank you for the opportunity to take part in what I think is a very important debate about a very important issue. Just so people at home understand clearly what we're talking about, Ontario's hydroelectric system has a number of very large transmission lines. I'm not talking about distribution lines; I'm not talking about the hydro poles and hydro wires that distribute electricity to our homes. I'm talking about the huge transmission lines which are in many cases 100 metres, 200 metres, even perhaps in some cases 300 metres high, that carry the very high voltage wires. We're talking about thousands of kilometres of these transmission lines. Essentially, they run from the Quebec border all along the St Lawrence River, along Lake Ontario, along Lake Erie down to Windsor. They run from Niagara Falls through to Hamilton. They run across northern Ontario, into northern Ontario. So we're talking about very large corridors. In some cases, these corridors are 300 or 400 metres wide. It's almost as if someone had the forethought to build very large, continuous road allowances, highway allowances across Ontario so that at some future time, if we chose to, we could literally build almost unimpeded superhighways. To say this is very valuable real estate is to understate incredibly the value of these corridors.

We've heard much discussion from the government over the last few weeks that they want to sell Hydro One, that they'd be satisfied if they got, say, \$4.5 billion or \$5 billion for Hydro One. I think anyone who went out and looked at the corridors by themselves, just looked at these transmission corridors, and did a little bit of inquiry would discover that within the next 10 years the corridors themselves are going to be worth that amount of money.

I want to elucidate why they will be worth that amount of money. The first reason they're worth that amount of money is that if we look not just in Ontario but across North America and the rest of the western world, a number of telecommunications companies are looking for dedicated corridors where they can put down fibre optic cable. Yes, you could put fibre optic cable down your street, or I guess you could put fibre optic cable down a railway line or down the 401. But you've got some problems there. First of all, in many cases those corridors are already very crowded. Second, many of those corridors are now so criss-crossed and interrupted that you'd go to a considerable expense to put down your fibre optic cable. Third, you'd always have to worry in that kind of situation about somebody who wants to put in a new water line, a new sewer line, and the prospect of



having your fibre optic cable broken, torn apart or otherwise disrupted.

What is so incredibly valuable about these transmission corridors, which belong to all of us in Ontario, and what makes them so attractive, is that you could literally use them to put fibre optic cable from Montreal to Windsor, from Niagara Falls to Toronto, on into northern Ontario, across northern Ontario from Quebec to Manitoba, and you've also got the potential to have a number of other linkages, all of them without interruption. In fact, you could lease some of this space to telecommunications corporations for them to put down their fibre optic cable and the money from those leases would accrue to the people of Ontario, and we're talking here potentially about hundreds of millions of dollars a year in revenue.

But what does this government want to do? It wants to give that revenue away to its friends on Bay Street. Not once in this government's attempts to try to avoid any debate or discussion about Hydro One have they been willing to talk about not just the value in 10 years but the value right now of those hydro transmission corridors in terms of leasing out some of the space for fibre optic use.

1020

But not just fibre optic use; almost every day when I pick up a newspaper that refers to the transportation situation in the greater Toronto area or in the Golden Horseshoe or anywhere in southern Ontario, I read about transportation gridlock, about how the 401 is becoming impassable, the Don Valley is becoming impassable, the Gardiner and the Queen Elizabeth Way are becoming impassable, many of the arterial roads are becoming impassable. If we're to look around at what are the potentially best transportation corridors, whether for new highways or for rail or rapid transit or busways, anyone looking at a map or anyone walking down one of these Hydro One transmission lines would say, "Oh, this is a natural. If we have to build new highways, this is where they should go. If we have to put in rapid transit lines, this is where they should go. If we want to put in busways, this is where they should go. We won't have to expropriate any property, we won't have to tear down any buildings, we won't have to force people to move from their homes; this is a natural." Just in terms of their value as highway corridors or railway corridors or future rapid transit corridors, they are worth, when you think about the length and breadth of Ontario, hundreds of millions of dollars for that purpose.

But during the whole discussion, during this government's whole scheme to sell off Ontario's most important public asset, have they ever once referred to the incredible value of those transmission corridors for transportation purposes? If you listen to this government, they would have you believe this is worthless land. In fact, for the purposes of transportation it is, again, worth hundreds of millions of dollars.

Let's just assume for a minute that CN or CP wants to build a new rail corridor, or let's assume for a minute that the federal government and Via Rail finally get their act

together and discover that we need to build some of the rapid transit high-speed train lines you see now in Japan or western Europe or even in the United States. This is where they would go. And from the perspective of the public of Ontario, even leasing corridors out for dedicated rail use at below their market value would still gain for the taxpayers of Ontario, the people of Ontario, hundreds of millions of dollars a year in new revenue.

What's even more ironic about this is that while this government refuses to recognize the value of these public lands, and while this government refuses to recognize that this could be a revenue source not only for paying down the debt of Hydro One but residual stranded debt, they refuse to recognize the public benefits to the people of Ontario. The great irony is that when you read the privatization document, when you read the prospectus that was put out by all those Bay Street folks who want to privatize our hydroelectric system, they talk about how much revenue can be made, in private hands, of course, to line the pockets of the folks on Bay Street. It's so incredible: if we only sell off our hydroelectric system, if we only sell off our transmission lines, people on Bay Street will be only too happy to use those hydro corridors to put in fibre optic telecommunication lines, only too happy to make revenue from leasing it for rapid transit or rail or new highways. But this government takes the obtuse position that in public hands they're not worth anything.

I think this just illustrates the degree to which this government is all about helping out its friends on Bay Street, all about giving them all kinds of opportunities to make money off a public service. But in terms of improving that public service or further developing that public service so that it benefits all the people of Ontario, no, they can't even talk about that, can't even consider that, can't even think about that.

These lands, the hydro transmission lines, above and beyond their value for transmitting electricity, which is immense, are clearly worth hundreds of millions of dollars a year in new revenue for Hydro One, and for the people of Ontario, if it is kept in public hands. Not only that; in rapidly urbanizing areas of the province, this is where you will see the opportunity to build new bicycle corridors. This is where you will see the opportunity, for example, to put in cross-country ski corridors or in-line skating corridors or paths to walk and run on. The list is endless, because you're talking about corridors that in many cases are 300 or 400 metres wide, corridors that have no other conflicting use, where you can easily bypass or get through areas that are otherwise congested.

This government, in its whole scheme, the scheme that they are unwilling to debate or discuss for selling off our hydro transmission system, refuses to consider any of these values, refuses to consider any of them. The government, to try to finesse this issue, has said that, oh, there would be some kind of process where the public could reacquire use of these lands. But if you read the fine print, should a privatized Hydro One sell them off, that capacity is ended. In other words, when you read the

fine print, when you look just beneath the surface, there is no strategy here. There is no strategy whatsoever for the protection of these lands and the value that they have for the public, either the monetary value that they have for the public or the use value that they have for the public. This is all about, again, taking something that has immense financial value, immense public interest value and simply turning it over to the government's friends on Bay Street so they can make as much money as they want off it, and the public interest be damned. This is wrong, clearly wrong. But it just serves to underscore how wrong this government's whole scheme is from beginning to end, their whole scheme to privatize our hydro-electricity system. It makes no sense from a public interest point of view to sell off the hydro corridors. It makes no sense from a public interest point of view to sell off what is a natural monopoly. It makes no sense from a public interest point of view to sell off the generating stations either.

I appreciate the opportunity to debate this part of this issue. It has merits on its own, but it serves to illustrate just how ill-founded, how misdirected, this government's whole scheme of hydroelectricity privatization is.

So I would support the resolution. In fact, I think the resolution should be stronger. I think this amendment to the Electricity Competition Act should be stronger. I think what we should be saying is that for all time, these hydro corridors shall remain in public hands for public use, all revenues should accrue to the public benefit, and no other purposes, no other uses, shall be considered. That, I think, has to be the spirit of the position in this debate. These lands are worth hundreds of millions of dollars in annual revenue now. These lands are worth hundreds of millions of dollars in terms of future revenue, whether as information corridors, rapid transit corridors, rail corridors or new highway corridors, and they should be kept in the public realm so that the benefits of these public lands go to the public and not just a few speculators on Bay Street.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I understand what the member for York West is trying to do here, and I think the intent is certainly worth looking at. The premise of the bill, though, is that Hydro is going to be sold. I think that's not only a premise that's premature; in fact, it just may be wrong. I think the member has been candid in saying that if there is no sale, the bill is not even necessary.

I think the member for Kenora-Rainy River hit it on the head. I was also looking at the bill, and what the member is trying to do is he wants a transfer of the lands from Ontario Hydro into the province's hands. Then he allows under the bill for the transfer or sale of the lands into the hands of municipalities, public transportation groups or whatever, with the purpose of dealing with the recreational uses etc. The member for Kenora-Rainy River is right. If we're going to do this, you've got to have that protection. That's where this act does not provide that protection. If you're going to have protection for public use, it should be protection for all time. Anything could happen.

1030

*Interjection.*

**Mr Tascona:** The member for York West can say what he wants. I know he's very familiar with the development industry.

I think the member for Kenora-Rainy River hit it on the head with respect to the municipalities or these other groups. There's nothing to stop them from selling it off to their developer friends, and the member for York West is very familiar with developers in terms of what they would be able to do with the land. That's a fatal flaw with this bill, and I think the member knows that with respect to the protections that are needed. That's one flaw in this bill that's going to have to be dealt with to protect it from getting into the hands of the developers—who the member for York West is very familiar with—from sales through the municipalities and other groups.

I would think you're going to have to have a fundamental amendment in this bill—it's (7) of this bill. It's going to have to be amended to make sure that the lands are protected for public purposes, because the way it's structured right now the transfer goes into the hands of the province and they sell it to, say, the municipalities or these other groups. These other groups can do whatever they want. They can put them into the hands of the developer, of the private sector, which the member for York West is very familiar with, and that's not what this bill should be doing. I think he should be looking at a friendly amendment to make sure, as the member for Kenora-Rainy River has said, to put the protections where they should be. Otherwise, this bill is just a sham, because it's going to end up in the hands of private developers, which the member for York West is very familiar with. That's the truth. If he's not in favour of a friendly amendment to (7) of this bill, then everybody should know where this land's going to end up: private developers in the city of Toronto. That's where it's going to end up, and that's not what we want.

Our goals for Hydro One are very clear: we want to protect electricity customers and future generations of Ontarians with a safe and reliable supply of power at reasonable cost. We want to pay down the \$38 billion in debt and liabilities inherited from the old Hydro One. We also want to ensure that the capital to fund necessary investment in aging electricity infrastructure is available, but not at the expense of provincial taxpayers. The most important goal of this government is to protect the consumer, and before we make any decision on how to best proceed we are listening to the public with respect to this matter.

I'll quite frankly come out, as the member for Barrie-Simcoe-Bradford, in favour of public control of Ontario Hydro. That's what my position is, but we do have to deal with \$38 billion in debt and we have to deal with the management that is still running up debt. We have to deal with their efficiencies.

I'll say that public control with respect to Hydro One, which I think is the intent of what the member for York West is looking for, certainly is the thrust of his bill. The



bottom line here, and the litmus test for the member across the way, is—the member for Kenora-Rainy River, the leader of the NDP, has said it very clearly—are we going to protect public lands in perpetuity or are we going to basically go ahead with what the member is trying to accomplish here without safeguards: transfer from Hydro One over to the province; the province transfers it over to the municipalities and others groups. It doesn't stop them from selling it off to private developers, so what have we accomplished? Is this just another mechanism, an indirect mechanism, for the member for York West to get those valued lands to the private developers, who he is very familiar with? We know he's very familiar with those private developers.

I can support the intent of the bill but we need protections for the public and they're not there.

**Mr Steve Peters (Elgin-Middlesex-London):** If somebody wanted to truly protect the public, you'd do the honourable thing right now and stand up and say you're putting an end and a stop to the sale of Hydro One. That's how you can protect the public. What you're doing right now is leaving the public so vulnerable with this foolhardy attempt to sell off Hydro One.

You don't recognize the importance of these corridors. In some places in an urban centre these hydro corridors are the only areas of recreation because of this mentality of pave, pave, pave. The only green space that's left in a lot of urban centres right now are these hydro corridors. You need to preserve these. You need to preserve these for the young people. You need to preserve these for everybody for recreational uses, for transportation uses, for the sake of the animals. There is still a lot of wildlife in urban centres and these are the only areas where the animals have an opportunity to thrive, and you're prepared to sell this off.

I think too that you need to recognize the effect these transmission corridors have in rural Ontario. These transmission corridors have been purchased with an understanding of trust between Hydro and the farmers. The farmer knows what he or she is getting in dealing with Hydro One, and they've developed a good working relationship in opening up these hydro rights of way. What you're doing is selling out the farmers of this province, you're selling out rural Ontario in this foolhardy scheme, because you're not going to guarantee that that farmer is going to have protection over that corridor, that right-of-way. You're opening it right up, and I think it is a very wrong move to make.

I think too you need to think through a municipal perspective. There are a lot of municipalities that have sold off—I can think where we sold off for two hydro towers to go up through the middle of one of our parks in the city of St Thomas. If all of a sudden this corridor comes into private hands, how is that going to affect the public's ability to use a public park when you've got some kind of private company owning this transmission corridor? You're not thinking it through.

I think the other thing you need to think about too is that a lot of these corridors pass through some very sensi-

tive environmental areas and some sensitive archaeological areas. These are areas that need to be protected. The best way to protect these sites is to keep these sites in public hands and not allow them to be opened up and left to the whim of a private entrepreneur.

So why don't you do the right thing? If you're truly committed to trying to help the people of Ontario and doing what's in the best interests of the people of Ontario, stop the sale of Hydro One. Have the guts. Mr Tascona just spoke up there. Why doesn't he speak up in his caucus and say to Ernie Eves and Chris Stockwell, "Stop the sale of Hydro One"?

**The Acting Speaker:** The Chair recognizes the member for Durham.

**Mr John O'Toole (Durham):** Mr Speaker, it's a pleasure to see you in the chair this morning.

I really do want to be on the record. The very first thing is that I want to make a point of being the first member on this side of the House to recognize the press release this morning that Al McDonald, the new member for Nipissing, has just been confirmed into this House with a sweeping number. I met Al when I happened to visit the riding and saw him as a young entrepreneur, and I heard him speak clearly on this issue. I think he was looking, like many members in this caucus, for the government to do the right thing.

This morning we're talking about Bill 13, from the member for York West, An Act to amend the Electricity Act. It's clear in this House over the last few days that it has been the issue of the day. On review of the bill, I can say in a general sense that I support the sentiment. The sentiment I've heard right from the beginning of this discussion is the importance of the public lands under these transmission and distribution lines. Having served on the municipal council level, I know that these lands in many cases serve as connecting areas and walking trails and public spaces, and I for one think it's important that the public have full access to those lands.

I think the member for Barrie-Simcoe-Bradford, who is a beauty—there's no question that he's a beauty; he uses that term regularly—has brought to light a very important weakness in Mr Sergio's private member's bill, and I'm referring to subsection 1(7). For those listening, some of whom are here, "Her Majesty in right of Ontario may sell, lease or otherwise transfer hydro transmission corridor land to municipalities, public transit corporations and similar entities for public transit, recreational, infrastructure development and similar public purposes and for no other purpose."

I think the weakness in here, as the member—the beauty—from Barrie-Simcoe-Bradford has stated, is a risk. Some municipalities in the generation discussion on Ontario Hydro reconfiguration have indeed sold a local utility, and that sale of the local utility in many cases ended up as a private sector entity, which of course was an option they had.

Now we're talking about Mr Sergio's bill. If we're going to transfer some of these public assets, which I'm arguing are important assets for the public right of

access, then there is a piece of very vulnerable language in this that developers, who in many cases are friends to the Liberal government—we understand that. I think the point I'm trying to make is I'm not sure if he deliberately designed this error or if it's just kind of a mistake in drafting. I want him to respond to this question.

**1040**

In my concluding remarks I want to put on the record our response to the issue of Hydro One rights of way. Our government has long been on record with its commitment to protect the province's interest in the ability to use the land along hydro transmission corridors for public purposes. Through SuperBuild, the government has taken steps to ensure hydro transmission corridor lands will continue to be available for public uses after the government decision on what to do with Hydro One. The government recognizes that the primary purpose of hydro corridors is for transmitting electricity while maintaining the public interest in the land.

At every briefing I've had, and I've heard Minister Hodgson speak on that and I've heard every one of the ministers involved in this issue, including caucus members like the beauty from Barrie-Simcoe-Bradford—

**Interjection:** Beautiful.

**Mr O'Toole:**—the beautiful member says that is our wish as well. It's not clear enough in this bill. I support the theory, but I think there are some weaknesses in the bill. I'm a bit perplexed about how we're going to deal with it.

I think in reading—my final remarks here this morning—it's kind of a flip-flop that's gone to the other side again. I'm not sure of their position on the generation side. They kind of agree with the model that's out there now. But on the transmission side, they haven't clearly stated their position. Now they're criticizing our Premier because he is listening and he's prepared to look at a new model. This is, as he said in the throne speech, a new era. We have a Premier now who's listening. He is responding, and that does reflect in his comments more recently: "Eves said" yesterday "his new Conservative administration is open to Hydro One remaining in public hands." What could be clearer? Clearly the four principles—public interest, protecting the consumer, having safe, reliable, affordable electricity—are in our plan, and our plan includes looking at all the options. This bill leads some of us in the right direction, but it doesn't do the right thing at the end of the day.

**Mr Dave Levac (Brant):** Spin, spin and more spin. They're going all over the place. This very timely, very astute and very thoughtful bill is what is necessary, and I ask this question: why is it necessary? Why? They can't get it right. They're going all over the map, and they just don't know how to protect the people's interest here in Ontario. The public wants this bill. It protects 50,000 acres of land that we presently own on behalf of all the people of Ontario. They can't get it right. They call this a new era. Then why is the former Premier still in an office in this place, and why are we still paying for it? Is he job-hunting or something? What's going on with the new

era? It's all over the map. These guys are putting on the same spin they've been putting on since day one. They're just trying to make everybody else look like it's their fault. It's the blame game all over again.

Why does the public want this? It's a matter of trust. We want trust in our government. Why is that? Let me point out something to the public. We've got a bill that is now going to take care of something we put out, and we now know the trust factor is not there. The trust factor says there was a study done, as outlined in the *Globe and Mail*, a report from the University of Victoria, the POLIS Project on Ecological Governance. Ontario received 10 out of a mark of 100 in terms of protecting public land. The parks these guys take credit for, for creating this legacy of great wealth—what do they do? They allow logging on this; they allow mining on this. They're not protecting any of the land they presently have charge of. That's the matter of trust. We want to know if we can trust this government in terms of putting this project right. That's why this bill is necessary. This bill is necessary because it's correcting the faux pas of that government over and over again.

The member opposite wants to read a clause in here. Let me finish the rest of the clause that he did not point out to the public. Subsection (7) says that it can go over to the municipalities or public transit or the similar entities, for what? For what specific purposes? For the purposes of "public transit, recreational, infrastructure development and similar public" uses "and for no other" uses. So the baloney that's being spun over there is talking about private interests and developers and is impugning the good name of the member from York West. I think they should be ashamed of themselves for doing something like that. The fact that they're trying to make this spin as if it's some kind of personal agenda to take care of the public interests this way, they should be ashamed of themselves for trying to make a spin like that.

The letter is very clear here, very clear, that this member understood the problem from square one and designed a bill that was very timely and necessary. I thank the member for putting that bill forward and I support it 100%.

**Mr Bob Wood (London West):** The bill raises an issue that's well worth considering. It does, however, require a number of questions to be asked. Some of those questions are going to appear obvious, but they're also important. I'd like to suggest a few of those questions now for the consideration of the House and the public today and as this issue receives ongoing attention.

The first question we have to ask is, what precisely does Hydro One now need, and what does it need in the foreseeable future? That seems obvious, and it may well be that some of what they have now they don't need. It is also important to note that they don't necessarily have to have ownership of property in order to run lines across them. It may well be that their true need is not ownership but rather a right-of-way. Those are questions that I think are important. It's easy to ask and it's easy to stand here today and draw attention to these questions, but it's



actually quite complex to determine what the correct answers to those questions are.

It's obvious that whatever is needed for the purposes of electricity transmission has to be attached to Hydro One. The question this bill really raises is, how do we determine what's needed, and how do we determine what's not needed? This of course is now done by Hydro One itself. Perhaps that system should continue; perhaps it shouldn't. There are various ways of changing that if those are deemed to be better solutions than the ones we have now.

The bill also does not address what I would think is a fairly significant issue. Suppose lands are not needed by Hydro One but also aren't needed for recreational, public transit or similar purposes. What's to be done with them then? As I understand this bill, the lands would not be in a position to be disposed of by Hydro One. That doesn't seem to make sense to me.

This issue, however, also relates to the whole question of ownership of Hydro One, and ultimately that question has to be determined prior to the merits of this bill ultimately being determined.

We do know that Hydro as a whole—or the former Hydro—had \$38 billion in debt, and that does not include the unknown costs of the disposition of the nuclear facilities. Of that debt, \$21 billion is stranded, in other words cannot be paid by what was Ontario Hydro and what are the successor entities.

It's important to ask the question, how did that mess happen? I'd like to suggest to the House that it was because Ontario Hydro had no accountability to the shareholders because it wasn't the politicians' money at stake, and Ontario Hydro had no accountability to the lenders because the government was guaranteeing the money and the lenders didn't care whether or not Ontario Hydro could pay the money back. In other words, in sum, there was no accountability. That being the case, I think we have to address those issues before we address in a final form the issues raised by this bill.

In summary, all I can really say to the member is this: he raises issues that are important; he raises issues that do have to be further considered. I think he agrees with us that they can't be considered in isolation, that they have to be considered as a part of an overall problem. It's not a new problem; it's a problem really that has been with us in one form or another for almost 100 years.

But I think we have to invite the public to give some input on all these issues, we have to listen carefully to what their suggestions are and then we have to look at what is really going to work, both in terms of providing the right result and what would be an efficient process to get to the right result.

In sum, there is a lot more work to be done yet on this issue.

1050

**Mr James J. Bradley (St Catharines):** I want to commend Mr Sergio for bringing forward Bill 13, which is a response to the unwise efforts of this government to sell Hydro One to the private sector, although as I stand

in the House today, I'm not certain whether or not that's true. I listened to the member who represents, among other places, the city of Barrie, who says he wants it to remain in public hands. I understood, because I watched the Conservative leadership campaign with a good deal of interest—I watched with interest as several of them said, "Absolutely, we're selling Hydro One. It's gone." Now, with all the pressure that I see on the government, it looks like the government may be trying to beat a retreat on this; we don't know. But at least the member wants to address these lands, which should remain for the purpose of the public good.

I heard members across make reference to land developers and so on, trying to insinuate that there is a closeness between members of the House. I tell him to watch what is happening in Durham, the lands which were exchanged for the moraine. Watch very carefully who gets what in Durham and how closely connected they might be to the governing party. That's what we have to watch.

I couldn't help but be amazed by the fact that the other night Premier Eves was down at the convention centre or the Sheraton Centre, one of the two, raising \$2 million in one night. I think just a few of those individuals might be contributors to the Progressive Conservative Party. If you leave these lands in private hands, if Hydro One is sold, if you proceed with what you've been saying you're going to do for the last six months at least, and that is, sell Hydro One to the private sector, these lands might well fall into private hands.

What the member has suggested in this bill, which you can amend or improve if it goes to committee, if you don't like certain provisions of it, and we are always happy to hear those representations made by all members of the House, he clearly says they should be reserved for public transit, for recreation, for infrastructure development and similar public purposes—not for private purposes; for public purposes, for the public good.

This government has allowed, during its reign, the farmland of this province to be paved from one end of the province to the other, and there are members of this government who will not be happy until you have paved everything from the edge of Metropolitan Toronto to Fort Erie and the whole Niagara Peninsula.

You changed the law. There was a provision in the Planning Act of Ontario which was much tougher than what we see today. It would have prevented this urban sprawl. It would have called for what the government is now attaching itself to: true smart growth. What did the government do? It weakened that provision. So all across this province we see prime farmland being paved. I can tell you there are people in the Niagara Peninsula—developers—who are rubbing their hands, waiting to pave that good farmland, where the soil is compatible, first of all, with the growing of tender fruit and, second, where the climatic conditions are there.

The member for York West has certainly made an effort with this bill to try to save these lands for public purposes. We're going to need public transit, not 1,000

more highways in the province. We have to expand our public transit in this province so that we use our resources in a much better way than we have already. I want to say as well that for recreational purposes, we want to retain these lands as open space that people can enjoy; for infrastructure development when we require the renewal of certain services; and, as he says, for similar public purposes.

He wouldn't have to bring this bill forward if you people weren't trying to peddle Hydro One, the crown jewel of electrical production in Ontario, the transmission grid. If you weren't willing to sell that off to people, then the member wouldn't have had to bring this forward.

I turn to the whip and I say, am I supposed to sit down soon?

**Interjection:** Yes.

**Mr Bradley:** I am. So I simply want to congratulate the member. He's done a great job.

**Mr Michael Bryant (St Paul's):** It's always difficult to follow the member from St Catharines, but I will. The member for York West must be commended for bringing in this bill. The member for York West is trying to act in the interests of the public. The member for York West, Ontario Liberals and Dalton McGuinty seek to protect the public interest here. We have to do this because right now the executive, the Premier, the government of Ontario, is in fact engaging in an exercise that I think our kids and grandkids will look back at and find appalling—the year, the month, the day that the province of Ontario sold off Ontario Hydro, sold off the lands therein.

I think about some of the grave errors that governments have made historically in the past. You think about the great rip-offs that governments have fallen victim to in the past. You have to think of the sale of Manhattan Island to the Dutch for \$24 in the 16th century. They will say in the 21st century that this foolish government, which had options, which had a choice, which was told by the people not to sell off the electricity transmission grid, in fact did so. They did so, and it will be the equivalent—mark my words—of selling off Manhattan Island for 24 bucks.

What is the member for York West trying to do? He's trying to hang on to what little public interest we can rescue from this exercise. I think it's incumbent upon the members in this House, particularly on the government side, to hold true to the promise of the throne speech that this would be an open and consultative government. This, I would imagine, would be the very first test of that open and consultative promise. Why? This is private members' business. Here's an opportunity for the front bench of the radical right, by which I mean the backbench of the Ontario PC caucus, to have an opportunity to say on behalf of their constituents, "Yes, we don't want to sell off valuable public lands."

I listened very closely to the member for London West, who talked about Hydro One as if it were the same thing—

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** Do you want to nationalize the TransCanada PipeLines?

**Mr Bryant:** Princeton's prince of privatization has just arrived, ladies and gentlemen, to make sure that in fact the privatization agenda of this government continues. We look forward to seeing his position on this particular bill.

The member for London West talks about the sale of Hydro One as if it has got something to do with Ontario generation. The province of Ontario in the 1990s underwent a process of electricity restructuring reform, and it was all about generation. To throw in electricity transmission at the last minute would be like, in the middle of a debate over hospital restructuring, deciding to privatize the ambulances. One has got nothing to do with the other. In the 1990s the concern wasn't about the natural monopoly of the electricity transmission grid, and today Hydro One is a natural monopoly and a natural money-maker, generating more than \$300 million every year for the people of Ontario—we, the people. This government wants to give that away. Why this government would want to give that away is surely the question of this legislative session, whether they be fools or knaves.

I say to you particularly in the backbench there, we need to see the government's—

**The Acting Speaker:** The member for York West has two minutes to reply.

**Mr Sergio:** First of all, let me thank all the members who have participated in the debate. May I send a copy to my good friend Mr Tascona, please? I would invite my colleagues and friends the member for Barrie-Simcoe-Bradford and the member for Durham to share and read again my private member's bill. They don't have to go any further than reading the text, which for the benefit of the public, I'm going to do on behalf of the House again. This will help to eliminate any distorting or misleading statements which may be attributed to my bill here today.

**1100**

It says that the bill amends the Electricity Act to remove from it the assets of Ontario Hydro and its successor in case they sell it. The hydro transmission corridor lands are to be held by the province for recreational, public transit and similar purposes. Nowhere in my bill, Mr Speaker and my colleague Mr Tascona, does it make any mention of selling it to third parties.

Further to that, let me address just for a second the clause that they have picked from my private member's bill. I know they have no problems with this clause, because they are both lawyers, I believe, and I know they can read legal affinities. The problem is that they are getting orders from high above. It says that under no circumstances is the land going to be sold to anybody else unless it's given to the municipalities in case there is a need. If there is a problem, it's because they don't want to deal with the issue. They want to do what they want to do, and the public will not have this land saved for their future use.



TENANT PROTECTION  
AMENDMENT ACT  
(FAIRNESS IN RENT INCREASES), 2001  
LOI DE 2001 MODIFIANT  
LA LOI SUR LA PROTECTION  
DES LOCATAIRES (AUGMENTATIONS  
ÉQUITABLES DES LOYERS)

Mr Caplan moved second reading of the following bill:

Bill 134, An Act to amend the Tenant Protection Act, 1997 to ensure fairness to Ontario's tenants / Projet de loi 134, Loi modifiant la Loi de 1997 sur la protection des locataires en vue d'assurer un traitement équitable des locataires de l'Ontario.

**The Acting Speaker (Mr Bert Johnson):** Pursuant to standing order 96, the member has 10 minutes.

**Mr David Caplan (Don Valley East):** Today is a critical time to have this debate. It's incredibly appropriate. It's clear to me that Ontario's tenants are under siege. The Tenant Protection Act, so called, is a clear contributor to the attack on tenants.

I just want to very quickly clarify what Ontario's tenants are facing today. Vacancy rates are at an all-time low. Rent increases are going far beyond the rate of inflation. Evictions are being generated at the Ontario Rental Housing Tribunal at a record pace, and affordable accommodation is scarce, if not totally non-existent, in many communities across our province.

When you look at the bottom line for tenants, the picture is even more disturbing. Study after study shows that half of all Ontario's tenants pay more than 30% of their gross household income on rent. In other words, 50% of all tenants pay more than the government agrees that they should as an affordability measure. Even more startling, one out of every four tenants, 25% of all renters in the province of Ontario, pay half—half—of their gross household income on rent. That's the borderline; that's the edge of homelessness.

These same tenants are not only being assessed by the guideline rent increases that are allowed every year. The problem is that they've been hit over the past several years with above-the-guideline rent increases for capital repairs and for utility cost increases. Currently, 80,000 tenant households face rent increases above the guideline based on extraordinary utility costs alone. The problem arises that they pay these increases forever and forever. There's no relief when the landlords' bills have been paid off or when the utility costs come down. I don't know how many people could afford an increase in their homeownership costs of 6% to 12% every year over a number of years. Yet that's what tenants in Ontario face.

Let's be clear. For all members of this House, let me review for you how the increases work. Every year tenants get an annual increase based on a formula of 2% plus an amount justified for inflation and other costs and increases adjusted over a three-year rolling average. Landlords can then apply for above-guideline rent increases of 4% more for capital costs each year to re-

capture the expenditures. They can also apply for an unlimited increase related to so-called extraordinary cost increases. Once the rent increase is granted by the government's rubber stamp, the Ontario Rental Housing Tribunal, it becomes a permanent part of the rent the tenants pay. Even if the costs come down, the rents do not.

Once balcony repairs have been paid off, should the tenants have to pay the rent increases related to it? I say no. The government's law says yes. Natural gas prices have dropped since the dramatic increase in price that we saw last year. Now that the landlords' costs have dropped, should the tenants have to pay the increases related to that? I say no. The government's law says yes. It is patently unfair to tenants. If the landlord no longer bears the cost, then neither should the tenant—a basic measure of fairness. That's the intent of Bill 134: to bring some real fairness into the way rent increases are determined and administered. Frankly, it's the least we can do to bring a modest amount of fairness to the government's rent regulation rules.

Elinor Mahoney from Parkdale Community Legal Services put it this way: "At a time when deregulation and privatization of hydro is very much a public concern, Bill 134 provides a fairer and more rational approach to fluctuating utility costs than the Tenant Protection Act. Bill 134 provides the opportunity for the government to show that it is willing to make changes necessary to correct the unfairness of the current approach." Elinor is here today with her colleague Joe Myers from Willowdale Community Legal Services. Mary Todorow from the Advocacy Centre for Tenants Ontario is also here. I just want to divert from the remarks on my bill and thank them all for their efforts in regard to tenant advocacy. Their ongoing work has, in part, inspired this bill.

I know that we're going to hear from members of the government, and they're going to say they can't possibly support this bill because the administration costs would be onerous. Nothing could be further from the truth. I'm sure the government members would be very aware of the fact that any landlord application for above-guideline rent increases has to be accompanied by the necessary paperwork, by the receipts and bills that they have. It would be a simple matter to file an appropriately updated financial statement on an annual basis, they have to do it anyway—to their same rubber stamp at the Ontario Rental Housing Tribunal. To suggest otherwise is simply government members and government policy trying to find bad excuses in an attempt to further punish tenants in Ontario.

I want to speak about the other major provision in the bill. It's the restoration of something called orders preventing rent increases, or OPRIs. One of the most common complaints that I'm sure all members of this House receive is from tenants who are concerned that they're receiving rent increases when proper maintenance is not being done to their building. In many cases, the buildings have outstanding work orders from cities against them, yet nothing prevents landlords from seeking and obtain-

ing these kinds of rent increases. At the tribunal, tenants are routinely told by adjudicators, government appointees, that their claims of maintenance issues and the like are not valid. The adjudicators are supported by the so-called Tenant Protection Act, and that has to change. Bill 134 will do precisely that.

Every year landlords are granted, as part of the basic guideline increase, monies that are ostensibly for repair and maintenance, yet the law that supports this provides no means to enforce that these basic tasks are being done. OPRIs provide this incentive because they compel landlords to do basic maintenance which can complement the provisions to allow for increases for capital repair. These measures were removed from the Tenant Protection Act. The government will tell you that tenants can simply file an application for rent abatement with the tribunal. But it's a sad day when tenants are asked to spend money and wait an extraordinary length of time to get tenant matters heard at the tribunal. Members of this House need to realize that we're not talking about getting a new pool installed in the building or an upgrade to the health club. We're talking about mould, water leaks, broken appliances that are not being repaired, safety lighting, broken elevators, falling plaster. These works cover quality-of-life issues. To grant rent increases when the basic issues are not even being addressed is ridiculous and unfair.

Paul York of the Greater Toronto Tenants' Association summed it up well when he said, "The landlord argument that OPRIs will act as a disincentive to doing needed repairs is not compelling because a landlord cannot apply to recoup his costs for capital repairs until the repairs are done, which is the condition for lifting an OPRI." Bill 134 will ensure a greater state of good repair in apartment buildings by requiring landlords to do all the necessary repairs before they can get further rent increases. The current system of enforcing property standards is inadequate. Bill 134 will provide an additional incentive to provide a minimum standard of repair in Toronto's aging rental stock. Most property standards officials would agree.

1110

I'm looking forward to the debate on this bill. I'm hoping that members of all parties, all members of this chamber, will support this important, and modest, I would add, step to improving the lives of tenants in Ontario.

Just the other day I presented a petition in this House with thousands of signatures of tenants from across Toronto and Ontario. I want to thank all of those tenants who took the time to sign that petition. I'm hoping that all members of the House will respect the voices of tenants and their desire to bring fair and reasonable first steps in the needed reform of the so-called Tenant Protection Act.

I have received letters, faxes and e-mails from advocates and individual tenants across the province. I just want to read a few out to you today.

From Lyn Trow of the Older Women's Network: "The Older Women's Network is deeply concerned about the

crisis in shortages of affordable housing. Many older women trying to live on old age security are living in dire circumstances. Inability to feed themselves nutritiously because of high rents contributes to poor health and high health care costs. Bill 134 is a modest step toward improving the situation under the Tenant Protection Act. It has our full support."

From Joyce Waddell-Townsend:

"David, your Bill 134 sounds very reasonable to me. I guess I understand that landlords need to be compensated for repairs that they make to properties. But once they have recouped their costs, they should not be able to continue with higher rents.

"Good luck,

"Joyce, 169"—

**The Acting Speaker:** Thank you. The member's time has expired.

**Mr Gilles Bisson (Timmins-James Bay):** I'm not going to take much time but I want to congratulate my good friend for bringing forward this motion. I think it's a progressive motion.

**Mr Rosario Marchese (Trinity-Spadina):** Don Valley East.

**Mr Bisson:** From Don Valley East. Thank you for pointing out the riding.

This government has done an abysmal job when it comes to rent control overall. They have basically stripped away the protections that were put in place by previous governments and more specifically the provisions that we had put in place under the NDP government of Bob Rae, which was real rent control.

I just want to remind the member that he's now, all of a sudden, the advocate of tenants across the province. That caucus voted against real rent control when we were in power. When we were the government, we brought forward real rent control that meant real protection for tenants. We knew the Tories would vote against us because they've never believed in that. We accept it; we don't like it. But we were shocked, because at the time the Liberal opposition voted against our rent control legislation. But that wasn't bad enough. When I was the housing critic in 1996 and brought a motion asking the House to reconsider the changes the Tories had made and return to NDP rent controls, the Liberals voted against it a second time. I understand it's the position of the Liberal caucus at this point that they still haven't adopted real rent control.

I think this is a step forward. It's a baby step but it is an important step. We will vote for it because we think it's progressive, but I'm asking the Liberals to take a step the whole way. If you're going to advocate for tenants, this is a good first step, but I want you to join us and our critic, Mr Prue, in calling on this government to reinstate real rent control for the people of Ontario and put in place real social housing programs that build the kinds of housing we need in this province.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to speak on the private member's bill from the member for Don Valley East. I'd like to



specifically address the issue of building maintenance and work orders, since that is what is at issue under Bill 134. It very clearly says that in the bill: "work orders."

Let me remind the House that under the former Rent Control Act, maintenance of rental buildings was poor. Some rental buildings in the province had hundreds of outstanding work orders. When there was an outstanding work order, the former act allowed orders prohibiting rent increases to be issued. This was an unfair system because all the outstanding work orders were treated as if they were the same. For instance, failure to comply with an order to paint a door had the same effect as a failure to comply with a work order for a major structural defect. It was obviously an ineffective tool, and our government chose not to carry this provision over into the Tenant Protection Act. Instead, the Tenant Protection Act got tough with property owners who failed to take care of their buildings and it gave property owners the incentive to maintain their buildings, including above-the-guideline rent increases based on capital expenditures.

These measures have worked. A recent survey has shown that the average capital repairs have gone from \$368 per unit in 1995 to \$1,178 per unit in the year 2000. When you translate this activity across Ontario's entire rental stock, it likely represents \$1 billion in capital investment and tens of thousands of jobs. Investments are being made to improve garages, elevators, balconies and a wide variety of other structural elements. Everywhere building owners are undertaking necessary maintenance and repair, which leads to better rental units and a higher quality of life for tenants.

If there is inadequate building maintenance, tenants are protected. The Tenant Protection Act allows tenants to apply for rent abatements. It also increases the powers of municipalities to enforce their property standard by-laws. Property standards officers have the power to issue a work order immediately to a landlord in cases where there is a violation. It's an offence for a landlord to fail to comply with a work order within a set time frame. Under the Tenant Protection Act, the maximum fine for a landlord who fails to comply with a work order has been increased to \$100,000. The actions of our government have already helped to ensure that landlords keep their buildings properly maintained and abide by work orders.

Bill 134: I think what I've heard here is an attack on the Rental Housing Tribunal, and it's also an attack on municipalities. In terms of their power, they have the power to deal with the issues we're dealing with right now. They are responsible. For municipalities, if a tenant wants a work order, they go to the property standards officer, say, "Take a look at my unit," and those work orders are issued. I haven't heard anything from the member opposite that the city of Toronto isn't doing their job with respect to property standards. They are doing their job. The Ontario Rental Housing Tribunal is the institution, the administrative body, that deals with these problems and they have the power to correct the problems. I can tell you that the powers they have with respect to dealing with work orders and with protecting

tenants with respect to these rent increases are very broad and do the job with respect to any landlord who would try to misrepresent what they are trying to do. If they don't do it, quite frankly, they are going to be hauled back in front of the rental housing tribunal. It certainly would affect them in terms of future prospects of trying to get rent increases for their building.

It's sort of a vicious circle here. The rental housing tribunal is attacked by the member. We don't hear anything about the municipal body in terms of how they are doing with property standards. I'll have to take it from his silence that they're doing a good job with respect to enforcing property standards and issuing work orders in the city of Toronto. I'm not going to accept the member's argument that the city of Toronto isn't doing their job with respect to work orders, because that's what his bill is about—work orders. It has nothing to do with fairness in rents; it has to do with work orders.

As I said, the investment in building maintenance has increased tremendously in this province and the pressure is on landlords to maintain their buildings because of the powers that have been given to municipalities. So I think this bill does nothing to address the real issue here of maintenance and work orders, because it is already being dealt with.

**Mr Michael Bryant (St Paul's):** I am pleased to rise in support of this bill brought forward by the member from Don Valley East. I represent a riding in which 68% are tenants—the second-largest proportion of tenants in Ontario. I can tell you that the tenants across the riding of St Paul's have fallen victim to the many injustices that are found in the Tory anti-tenant legislation.

1120

One of the injustices is the unjust enrichment that takes place whereby landlords get to keep above-the-guideline rent increases even in circumstances where the basis of that increase—for instance, an initial increase in utilities—goes away. So they get both; they get the double increase. They get the benefit of the increase in rent and they get the additional benefit of not having to pay for the initial expense. The purpose of this bill, in part, is to address that injustice; it's to address that unjust enrichment. That is why Dalton McGuinty and Ontario Liberals support this above-the-guideline rent rollback. That is why Dalton McGuinty and Ontario Liberals support real rent control across the board.

I listen to the other members, and I listen to the third party, suggest that somehow they have a monopoly over the concept of rent control. In fact, I know very well that the third party knows: that rent control in a reduced form was introduced by Bill Davis; it was improved upon by a Liberal government; and, I think, we had some evolutions as well under the NDP government. I think it's fair to say.

I like the idea of competition for the benefit of tenants. I like that. I like political competition for the benefit of tenants. But let's be clear, Liberals support rent control; Liberals support an above-the-guideline rent rollback; and Liberals support a crackdown on apartment building

disrepair. That's what this bill is about. It permits a crackdown on apartment disrepair. You want to raise your rent, landlord? Well, you better make sure that your building is in order. You get an above-the-guideline rent increase and the basis upon which that disappears, then you get a rollback. That's just fairness. Isn't that fair?

**Mr Caplan:** Fair.

**Mr Bryant:** That is fairness and these are circumstances where we're saying to the government—the new, open, consultative government—

**Mr Marchese:** With a heart.

**Mr Bryant:** —with a big heart, that we wish we could bring forth legislation that would repeal the Tenant Protection Act because we support the repeal of the Tenant Protection Act. We support that but we know that we're not going to be able to convince members on the government side to support the repeal of the Tenant Protection Act. We can say to members on the government side of the House, here's a bill that addresses two injustices: the injustice of apartment building disrepair—which I know the government does not support. They have an opportunity to show that they don't support that by supporting this bill and that they recognize the unjust enrichment that occurs when a landlord gets an above-the-guideline rent increase when the circumstances for that disappear after the award is provided. The government could not possibly support that unjust enrichment and today they have an opportunity to make it clear that they're not anti-tenant. Right now, I have to tell you, the people of St Paul's see the Tory government as anti-tenant, and today is an opportunity for you to say, "No, we're not." Here's a very fair and reasonable amendment to legislation. We may have fundamental disagreements about rent control—we're for it, you're against it—but fine, we'll settle that debate on another day, election day, but for now we have an opportunity to make a fair and reasonable change. That's the bill that's before you now.

How much time do I have?

**Mr Smitherman:** You have another 25 seconds.

**Mr Bryant:** So I say to you, on behalf of thousands of tenants in the riding of St Paul's, millions of tenants in the province of Ontario, who have seen rent increases of sometimes 30% over the last three years, here is an opportunity for this House to rectify this injustice.

**Mr Marchese:** I just want to say very clearly that I support the motion de mon ami from Don Valley East—and I've got more to say.

I want to say to you, Speaker, the Tories make no bones about whom they support. They love landlords; they do. The more money that can be given to them in whatever form, they like it. They make no bones about that. Do they like tenants? I suspect they do, but do they want to extract money from tenants to give to the landlords? Oh, yes. They call that fairness. We call that stealing from people who have so little money. You heard the member for Barrie-Simcoe-Bradford earlier on. He makes no bones about whom he supports.

Tenants are hurting in this province. You may not know there are 3.3 million tenants in this province, if not

more—almost a third of the population. And why are they hurting? Close to 500,000 of them are paying over 50% of their income to live in those buildings. Almost half a million are hurting today more than ever before because of the policies of this government. Rents are skyrocketing under the Tenant Protection Act that was supposed to protect tenants but is really taking money from the poor and giving it to the rich. Those who own homes are almost twice as rich as those who live in apartment buildings. But under the policies of this government, rents are skyrocketing beyond people's ability to pay. They're not wealthy like the landlords and like most Tory supporters, yet the landlords are the beneficiaries of these bad policies presumably designed to support tenants. Tenants are hurting.

They didn't support our rent control act when we introduced it under the leadership of Bob Rae. Quite frankly, neither did the Liberals. But I don't blame the member for Don Valley East, because he wasn't here. I don't blame the member for St Paul's, because he wasn't here. I don't blame my friend George Smitherman from Toronto Centre-Rosedale, because he wasn't here. They could stand up and say they support rent control, but the others didn't. The others who were here when we introduced rent control did not support it. What did they support? They supported meaningful rent control. What is "meaningful rent control"? We don't know. What is probably meaningful rent control for the Liberals is whatever is fair. So the Tories say, "We love landlords." The Liberals say, "We love them too!"

**Mr Rob Sampson (Mississauga Centre):** We love everybody.

**Mr Marchese:** —yes, you do—"but we love tenants as well. We love them both, so what we try to do as the Liberal Party is find meaningful rent control, which is something that is fair to the landlords—God bless them, because they're not reaping enough money to enrich themselves; they're really in desperate shape—and something that helps tenants." This initiative brought forth by mon ami, the member for Don Valley East, attempts to introduce measures that were there in the rent control New Democrats brought in, but it doesn't go quite as far.

So the two measures that the Liberals have introduced are—

*Interjection.*

**Mr Marchese:** —I would remind you that in the rent control act that the NDP brought in we had orders prohibiting rent increases on units with outstanding orders. These orders prohibited any increase, not just those above guideline. Those who were in the field of property standards, officials dealing with property standards, said our policies were effective. Why? Because if there was an outstanding order, they would fix it.

The Tories said, "It's not good, because if we leave that measure in place, the landlords are just not going to make enough money." They took it out. The Liberals are saying, "OK, that measure was good. We'll bring it in now as part of a private bill, but we won't go as far. We'll keep guideline increases." Good God, if a landlord



has guideline increases, that's a lot of profits for him. So the Liberal measure proposed today is OK, but it doesn't go far enough.

1130

**Mr James J. Bradley (St Catharines):** I'm telling Mac Makarchuk what you're saying.

**Mr Marchese:** What I am saying, Jim, is that as a measure it attempts to bridge the gap somewhat, but it's a half measure. Would I oppose this half measure? No. Is it good enough? No, but it's better than what these people are offering, so I'm going to support it.

The other measure speaks about under our Rent Control Act tenants could apply for an extraordinary operational cost decrease. Under the Tenant Protection Act you can't do it. They eliminated that. Caplan's bill would rectify this and would have the tribunal decrease the rent without a tenant application, but only for the first three years. After that, tenants would not be able to apply for such a decrease; they would be on their own. So as a measure, it's OK. Does it go far enough? It doesn't.

There are other measures that my colleague Michael Prue from Beaches-East York will probably get into so that I don't have to cover it. Otherwise, I would take it all and he doesn't have enough to obviously get into. So I'm going to leave those measures there for my buddy Michael Prue.

My main point is that this Conservative government is unequivocal about whom they support. They're for landlords. Their tribunal is made up of—you guessed it—all Tory appointments, most of whom are lawyers. They're all Conservative. They make no bones about it, and they're unashamed about the fact that these tribunal members are all Conservative. What we had under rent control was that if you had a problem you went to the courts. Judges dealt with these issues that now appointed, politically appointed members, are dealing with. Who do you think they are supporting? They're supporting the landlords. This is an eviction machine designed, crafted, manufactured by Tories to evict tenants and not to help tenants. These guys are so good. They're so good at beating up on 3.3 million tenants. The only thing I hope, Michael, is that one day these tenants are just going to rally against this government, rally against them, indeed rally against any political party that treats them so profoundly unfairly. I'm just waiting for that day. If 3.3 million tenants vote, this government will be defeated.

**Mr John O'Toole (Durham):** It's my pleasure this morning to comment on Bill 134 of the member from Don Valley East. On review of this private member's bill, in general I support many of the themes here. Double accounting, as I will call it, that is, having rent increases based on increased capital and other expenditures and then being compounded over a number of years and never being rolled back, I theoretically don't have a problem with that.

My problem is that it does have some what I call red tape issues, administrative issues of setting up a registry of some sort for these issues. So my position is that as it's currently drafted I can't support it. But here's my point.

### *Interjections.*

**Mr O'Toole:** Mr Speaker, with your indulgence, I clearly want to put a few points on the record, if I'm not continuously interrupted by the Liberal Party.

The member from Trinity-Spadina: I have the deepest respect for his commitment to the constituent group that he speaks to and I do support his genuineness and sincerity because I know where he's coming from. But if I listen to his argument, it doesn't complete the debate. He makes the point—and I quote him to some extent—“Landlords make enough.” If I follow through that argument and there was this gouging profit going on, I ask you, how come there are very few apartments being built? If it was that lucrative—

### *Interjection.*

**Mr O'Toole:** I'm going to follow up with the member from St Catharines's interjection. It's a very valid point he makes. The real substantive issues here in affordable housing and rent itself is, why are developers not building rental apartments? It goes back to one of the premises inherent in the municipal tax system, which says that the property tax, which is embedded in the rent per month, is four times residential in Toronto. It's 400% more expensive on the property tax issue for a renter and a person who owns their own home. The municipalities could reduce that burden by reducing the burden on the renter, the tax rate. If you look at the rate, they pay four times, and yet all of the Toronto councillors—Mr Prue probably will get up and talk about it—have failed to address it. They, by resolution, did that in council: forced the renters to pay more taxes than the private homeowner.

There's another issue here that I don't believe is well understood. It's the federal government. When I look at affordable housing, the Canada Mortgage and Housing Corp—actually, Minister Hodgson raised this question. It's worth it for people listening at home to get a copy of Hansard from two days ago. The CMHC passes a premium on to the federal government for the amount of money raised in doing these finance deals under CMHC. Those premiums flow to the federal government, into general revenue. The annual value of the premiums is about \$400 million, and of that \$400 million, over 50% comes from Ontario, which would be \$200 million. What that really means is this: when the affordable housing debate and the Golden report comes back, what do they offer Ontario? About \$70 million. That isn't even meeting the commitment of the revenue they are already collecting from first-time homebuyers.

What have we actually done? We really do want people of all income levels to have affordable housing. The land transfer tax is eliminated on first-time homebuyers. We encourage—in fact, that's what this affordable housing argument is about. It should be providing, whether it's a condominium and having proper mortgaging under CMHC, for first-time, young families. That's the pride of ownership. At the end of the day, at the end of the paying, we encourage ownership over rental.

The tribunal itself as it is struck has very strict guidelines. The member for Scarborough East will certainly outline that, as the former Minister of Municipal Affairs. He speaks in caucus very passionately on behalf of renters. I can assure you that I am waiting to hear his comments and I'm sure that all the people in the House have been attending here this morning to hear from the member for Scarborough East.

With that, I will relinquish the balance of my time.

**Mr Bradley:** Almost needless to say, I'm very supportive of this legislation that my colleague has brought forward. Mr Caplan has a long history of speaking on behalf of tenants, and I certainly want to congratulate him on bringing this bill forward.

He brought forward a bill that I think has at least a remote chance of being passed. To bring a bill that is more extreme, there's no chance that the government will pass that bill. So I think he has been very wise in tabling before this House for debate a bill which has a remote chance of perhaps picking up a few of the red Tories—I can't find any; oh, there's one in the House—among the government benches, because it is needed.

Members have pointed out something that's a problem right now. I am the Chair of the government agencies committee, so I get to observe the people who are appointed. As a neutral Chair I would not offer a comment, but I would say that members of the committee who are there tell me that week after week, the people who are appointed all coincidentally happen to be strong supporters of the Conservative Party. I saw one who was a friend of my colleague from Scarborough East who was on the tribunal and now is on the environmental review tribunal. He went from the rent tribunal to the review tribunal. He was a good fellow, a generous fellow. He gave \$1,000 to the campaign of the member for Scarborough East, so a good friend of his. I want to commend the member for Scarborough East; he came in to committee to support his friend. Even though some other Tories on the committee were queasy, as I observed from my neutral chair, he still managed to get that appointment through, moving him from the rent tribunal to the environmental tribunal. But I think it's safe to say that the people who have been appointed are people who are certainly on the side of the major landlords in this province.

1140

I heard the argument made that somehow we're not having developers build apartments. I heard when you took off rent control—because in effect you've taken off rent control when someone moves from accommodation—that the developers would be falling over each other to build new rental accommodation, and it hasn't happened. I'm still waiting to see that happen, because that was a promise, that was an undertaking from members of this government.

I have to say this as an observation. The huge landlords in this province were certainly supportive of this government. In the riding of St Catharines, on every major property there were huge Conservative signs.

These are the major landlords in the province. A funny thing happened, though. The people inside the buildings were kind enough to support me instead of the Conservative candidate, and that may tell you something about their views on the legislation that exists.

The member identified two problems in this legislation and wants to address those. Most people are going to say, "Look, if a landlord incurs a cost in making necessary repairs to a building, we can understand that it would be reflected in the cost of the rent," but only for that period of time where that cost is incurred. What you people over there on the other side allow is for them to continue to pass that cost along to tenants for years and years. That's what this bill is trying to address.

Second, it's trying to address the problem of people who will not make the necessary repairs to buildings so that tenants can enjoy a quality of life that they deserve.

These are basic. This is not putting some fancy swimming pools in the apartments. This is talking about basic repairs that have to be made. So the member has identified two specific problems. He's brought forward a piece of legislation which is moderate enough that I think it can receive support on the government side. I would like to see us unite as a Legislature in support of this bill. Send it to committee to make any necessary modifications, if that is what you wish. But certainly I implore members of this House to support a bill which I think will rectify a major problem in this province.

**Mr Michael Prue (Beaches-East York):** I too will rise in support of this bill. Does the bill go far enough? I don't think so. But is the bill a good thing? Sure, it is.

People in the city of Toronto especially but also people in other cities like Hamilton, London, Kitchener and Ottawa know what is happening in the rental market.

*Interjection.*

**Mr Prue:** And Welland too—know what is happening in the rental market. They know their costs are going up much faster than the cost of inflation, much faster than their paycheque, and they know that it is becoming increasingly difficult for them to make ends meet. We know in the city of Toronto the average two-bedroom apartment is now \$1,027. We know in Ottawa it's \$998. We know across the province in many of our large urban centres the costs have outpaced the ability of people to pay for them.

We know that vacancy decontrol has happened, and this is insidious within this Tenant Protection Act. Whenever a person leaves their apartment, the landlord can charge whatever the market will bear. In places like Ottawa and Toronto, in places like London and Welland, where vacancy rates are less than 1%, the landlord is free to charge whatever he or she wants. We have seen apartments that rented for \$800 when the person leaves rent for \$1,200 to the next person who comes along. They have no choice. They must live in this city or Ottawa in order to work, they must live there because their families are there. They have no choice.

We have seen the poor and aged stuck in their homes. We have seen that they're afraid with every rent increase.



The calls that come into my office when the above-guideline increases go are absolutely huge. Not content with getting 3.9% or 2.9%, the landlord goes out for 6% and 7% and 8%, and that is taken from people who are pensioners, people who have seen their own pensions go up by a couple of percentage points, people we should be protecting. They are at the total mercy of this government.

I want to tell you, the energy blip that took place a couple of years ago, what a boondoggle that was. Gas prices went up for two months; tenants are paying for 200 years, because you will allow a landlord who is a poor businessman, who ran out and took a five-year lease on the gas and who's paying horrendous rates today, to be rewarded for that. His rent will stay up forever and the Tenant Protection Act is allowing him to do it.

Comments were made by the member for Barrie-Simcoe-Bradford. I wish he would come to Toronto, other than to this building, once in a while and take a look at what actually happens in the city of Toronto and look at what the city of Toronto council has done. The city of Toronto council has gone much further than this. They have asked for rent rollbacks. The city of Toronto council has asked for a rent freeze following that. The city of Toronto council has asked for real, meaningful rent controls, and the city of Toronto council has instituted a funding of tenants to fight above-guideline increases. They know—and 30 to 8 was the vote—that the tenants in this city are suffering. The council in Ottawa knows the same thing.

Will this bill go far enough to remedy all of that problem? No, it will not. But is it a good bill? Yes, it is. It's a good bill because it takes that first little, tiny step, a modest step. I wish the bill had said there would be no above-guideline increases if there were repairs needed to a building. I want to tell you, as the former mayor of East York, we enforced that bylaw and we enforced it very strongly. Those buildings were fixed up far better than they're being fixed up today. There was no rent increase and there was the incentive on the landlord to do what he had to do for the tenants. Today, he's doing it because he knows he can make a profit in the long term. He or she knows that by doing that, they can raise the rents not only this year while the repairs are made, but forever.

We've talked about gas prices and we've talked about repairs. There's another minor problem with the bill, and that has to do with the amortization period, because it mentions five years. Most major capital things like new roofs and retrofits to buildings are amortized over much longer periods, but I'll leave that.

The problem we're going to see, and I foresee it right now, is what's going to happen when electricity prices spike. When they start to spike, that is going to be a major problem to those poor tenants. It only has to happen one or two months under this legislation and the landlords, I can guarantee you, will be there asking for their pound of flesh. They will be driving the poor and the senior citizens from their homes.

We have to do more than just this bill, but I am delighted to support it today because it's a first step.

**Hon Tim Hudak (Minister of Consumer and Business Services):** On a point of order, Mr Speaker: I would like to introduce the members of the assembly to the students from Heritage Christian School in beautiful Jordan, Ontario.

**The Acting Speaker:** Thank you.

Further debate?

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to join this debate and to put on the record that I will not be supporting Bill 134, for a very simple reason. We've gone down this road before under the NDP, to maintain a registry to micromanage the repairs. That cost \$10 million a year, \$10 million that had to be borne by the taxpayers and tenants all across Ontario. And what did it achieve? At the time we were elected, buildings all across this province had, in some cases, dozens, even hundreds, of outstanding work orders against them.

The fact of the matter is, the previous system didn't work. In 1995, the year we were elected, the average unit in Ontario had capital repairs of \$368. This past year, the average apartment unit in Ontario had \$1,178 worth of capital repairs. That's \$1 billion that's been spent upgrading apartments all across this province, improving the quality of life for the tenants living in them. The members on the opposite side obviously don't understand the concepts of depreciation and why landlords have to make those investments.

But it's even more important to put on the record precisely why rents are where they are today. The member from St Catharines was mumbling when the camera was not him that we should be ordering municipalities to change their property taxes. I find it staggering, considering the number of times that member and other Liberals have commented that every time we even look sideways at municipalities, we're constraining them and abusing them. The fact of the matter is that here in the city of Toronto the property tax rate is 4.2 times what a single-family home pays per square foot. That means that the previous government and the government before them, and many of their members who were Toronto councillors, voted to add hundreds of dollars to the rent of the average tenant in this city. At the same time, they have the gall to stand here—

*Interjections.*

**The Acting Speaker:** Order. The member for Scarborough Centre, the member for Don Valley East and the member for Toronto Centre-Rosedale, come to order.

1150

**Mr Gilchrist:** As I was saying, members opposite who were actually Toronto councillors at the time voted for budgets that put in place criminal, oppressive tax regimes. The fact of the matter is, to eliminate that differential, to have that apartment tenant have their property tax reduced to equal—

*Interjection.*

**The Acting Speaker:** I'll not warn the member for Timmins-James Bay again.

**Mr Gilchrist:** —the tax of a single-family home would take \$200 a month off the rent of the average apartment in this city. Their garbage collection, their sewage disposal—

*Interjection.*

**The Acting Speaker:** I won't warn the member for Scarborough Centre again.

**Mr Gilchrist:** —their sidewalk cleaning obviously don't cost more than for someone living in a single-family home. In fact, one could argue that because of the economies of scale of putting 300 units into one building, you should have charged them less property tax, but you didn't. You picked the pockets of tenants, and you have the gall to stand here and suggest that somehow you and the members of the Liberal Party who were municipal councillors are the paragons of virtue, the saviours of tenants. Well, the fact of the matter is you're the folks who put them into the predicament they're in today.

At the same time, we have a federal government that continues to give me a GST rebate if I build a building and call it a condo. If I build an identical building and call it an apartment building, I don't get my GST back, adding thousands of dollars per unit, millions of dollars per building. Small wonder developers aren't building apartment buildings; they're building condos.

The bottom line is, we've eliminated all the provincial sales tax on the construction of affordable housing. We've streamlined the planning process. There are 73,000 apartment units zoned, serviced and ready to be built, and the construction of those units is impeded only by federal and municipal greed. The reality is, the apartment building industry itself will tell you, the province has done everything we need to do to get out of the way. The time has come for the feds and for city councillors to stand up and be counted and stop picking the pockets of tenants.

**Mr Smitherman:** It's a great pleasure to have a chance to participate in the debate and follow on the forcefully presented comments of the member from Scarborough East.

I want to acknowledge at the beginning the strong presence in this chamber today of all the members of Team Waffle and their leader, the rightful Premier in the front row. It is, I think, extraordinary to have that contribution from the member for Scarborough East, who wears his politics so prominently displayed on his sleeve.

Another member of Team Waffle, the member from Durham, spoke earlier, and I wanted to just correct the record around some of the misinterpretations of policy that he put out.

First, there was a very forceful acknowledgement on his part that despite Al Leach's claims to the contrary, no building boom has taken place in Ontario with respect to rental accommodation. The member from Durham and the member from Scarborough East talked about the difficulty we've got in Toronto with respect to the property tax differential on multi-unit residential. But what the member from Durham failed to mention was that

there is a 35-year exemption for any new rental accommodation.

He also talked about first-time homebuyers. I think it's important to note that this policy of not forcing first-time homebuyers to pay the land transfer tax applies to new properties only, not resales. I think that's a policy we can all see has contributed pretty dramatically to the problems of sprawl we have in this province. Those are just a couple of things that are corrected.

For people watching at home, this is a complex issue for sure. The administration around it is complex; there isn't any doubt about that. But in attempting to muddy the waters, as the government typically does, I think it's important to relate this to people at home.

Imagine for a second that you took out a second mortgage, \$20,000 or \$25,000 to make some renovation or repair to your home. You paid that mortgage off over a period of time, but they kept collecting the bill. That's what the government is opposing today: that we want to have a situation that begins to level the playing field for tenants in this province.

In my own riding of Toronto Centre-Rosedale I have the honour of representing, I think, the riding with the highest proportion of tenants in our entire province. I think the St James Town community, which is 18 buildings housing something like 20,000 to 25,000 people, the most dense development in North America, is a place where we need to look for the effect of this law, the effect this law has had on people. This is a government that talks all the time about reducing its taxes and getting government off the backs of its constituents. But at the end of the day, the working-class people in my riding, who live primarily in communities like St James Town, are being asked every year to pay a burden that is not resulting in any enhanced quality of life for them. It happens against the backdrop of continued decline with respect to the quality of life they enjoy in those communities.

What the bill that is before us, presented by my friend from Don Valley East, is designed to do is make sure you cannot benefit on an ongoing basis from costs that have been borne by the tenants, costs that have been paid for at the time that has been completed. We think it's appropriate that that needs to be rolled out.

Now, some of the government speakers stood up and said they had some sympathy with some of the elements that are there. So in keeping with the great traditions of this House, there is an opportunity before us for the government members, a few courageous souls even, to join with members on this side and allow this bill to go forward to committee, where we can work on elements of concern and strike out on a path toward finding those areas where there is a common sense that we can improve on behalf of the people in this province.

The last thing I want to say is that I've heard government members talk about the extent to which the Ontario Rental Housing Tribunal ought to be viewed as some great saviour for the tenants in this province. It tells me that those members opposite aren't spending much time



at the rental housing tribunal, that they haven't gotten involved, engaged in trying to help tenants in this province to deal with that. For my part, I'm giving a lot of support to the St James Town tenant network, which is designed to assist the tenants in a meaningful way.

**The Acting Speaker:** The member for Don Valley East has two minutes to reply.

**Mr Caplan:** I want to thank all the members who took the time to speak to Bill 134. At this point I'd certainly like to recognize Dan McIntyre, from the Federation of Metro Tenants' Associations, for his presence and his support and organization for this very modest measure.

I want to focus on the comments of a couple of the members. The member for Durham talked a bit about this bill, how he supports many of the measures in principle. I recall that particular member standing in this place presenting petitions on behalf of his constituents who live on Liberty Street in Bowmanville. I will certainly make sure I send a transcript—the Hansard of the remarks of this debate—and his vote to those tenants, because he says one thing on behalf of his constituents but he votes a different way if he doesn't support this bill.

I also want to comment on the member for Trinity-Spadina. I remember the last piece of legislation that I introduced, Bill 36, which would reform the eviction procedure. The member spoke in very glowing terms about it and said he supported it. When the time came, members of the New Democratic Party didn't show up for the vote. I'll be very interested to see whether New Democrats are going to play partisan political games or whether they really support the interests of tenants.

This bill is about basic fairness. If the costs go up, if they're incurred, the tenants will have to fund a part of those costs. Fair ball. But if they come down or once they're paid for, tenants deserve some relief. What goes up must come down. It's a matter of fairness. I hope all members of this House will support Bill 134. It is a fair and reasonable way to support the tenants in this province.

#### ELECTRICITY AMENDMENT ACT (HYDRO TRANSMISSION CORRIDOR LANDS), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (BIENS-FONDS RÉSERVÉS AUX COULOIRS DE TRANSPORT DE L'ÉLECTRICITÉ)

**The Acting Speaker (Mr Bert Johnson):** We will deal first with ballot item number 41, standing in the name of Mr Sergio.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will take the division after I've put the question on the second item.

#### TENANT PROTECTION AMENDMENT ACT (FAIRNESS IN RENT INCREASES), 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LA PROTECTION DES LOCATAIRES (AUGMENTATIONS ÉQUITABLES DES LOYERS)

**The Acting Speaker (Mr Bert Johnson):** We'll deal now with ballot item number 42, standing in the name of Mr Caplan.

Mr Caplan has moved second reading of Bill 134. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### ELECTRICITY AMENDMENT ACT (HYDRO TRANSMISSION CORRIDOR LANDS), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (BIENS-FONDS RÉSERVÉS AUX COULOIRS DE TRANSPORT DE L'ÉLECTRICITÉ)

**The Acting Speaker (Mr Bert Johnson):** Mr Sergio has moved second reading of Bill 13.

All those in favour will please rise and remain standing until recognized by the Clerk.

#### Ayes

Amott, Ted	Elliott, Brenda	Miller, Norm
Baird, John R.	Flaherty, Jim	Molinari, Tina R.
Barrett, Toby	Galt, Doug	Munro, Julia
Bartolucci, Rick	Gerretsen, John	Mushinski, Marilyn
Beaubien, Marcel	Gilchrist, Steve	O'Toole, John
Bisson, Gilles	Gill, Raminder	Ouellette, Jerry J.
Bountrogianni, Marie	Gravelle, Michael	Peters, Steve
Boyer, Claudette	Guzzo, Garry J.	Phillips, Gerry
Bradley, James J.	Hampton, Howard	Prue, Michael
Bryant, Michael	Hardeman, Ernie	Pupatello, Sandra
Caplan, David	Hastings, John	Ramsay, David
Chudleigh, Ted	Hodgson, Chris	Runciman, Robert W.
Churley, Marilyn	Hoy, Pat	Sampson, Rob
Clark, Brad	Jackson, Cameron	Sergio, Mario
Clement, Tony	Johns, Helen	Smitherman, George
Coburn, Brian	Kells, Morley	Spina, Joseph
Colle, Mike	Klees, Frank	Sterling, Norman W.
Conway, Sean G.	Kormos, Peter	Stewart, R. Gary
Cordiano, Joseph	Kwinter, Monte	Tascona, Joseph N.
Crozier, Bruce	Lalonde, Jean-Marc	Tsubouchi, David H.
Cunningham, Dianne	Levac, David	Tumbull, David
DeFaria, Carl	Marchese, Rosario	Wettlaufer, Wayne
Di Cocco, Caroline	Martel, Shelley	Wilson, Jim
Dombrowsky, Leona	Maves, Bart	Wood, Bob
Duncan, Dwight	Mazzilli, Frank	Young, David S.
Dunlop, Garfield	McLeod, Lyn	
Ecker, Janet	McMeekin, Ted	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 79; the nays are zero.

**The Acting Speaker:** I declare the motion carried.  
Shall the bill be referred to a standing or select committee?

**Mr Mario Sergio (York West):** I refer it to the standing committee on general government, please.

**The Acting Speaker:** All those in favour will please rise and remain standing.

A majority of the members are not in favour, so this bill is referred to the committee of the whole House.

We will wait 30 seconds for anyone to enter or exit.

TENANT PROTECTION  
AMENDMENT ACT  
(FAIRNESS IN RENT INCREASES), 2001

LOI DE 2001 MODIFIANT  
LA LOI SUR LA PROTECTION  
DES LOCATAIRES (AUGMENTATIONS  
ÉQUITABLES DES LOYERS)

**The Acting Speaker (Mr Bert Johnson):** Mr Caplan has moved second reading of Bill 134.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

**Interjection:** We did this part already. We're just doing the standing part now.

**The Acting Speaker:** Pardon me. I will punish myself properly afterwards for that goof.

All those in favour, please rise and remain standing.

**Ayes**

Bartolucci, Rick	Di Cocco, Caroline	Martel, Shelley
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gerretsen, John	Peters, Steve
Bradley, James J.	Gravelle, Michael	Phillips, Gerry
Bryant, Michael	Hampton, Howard	Prue, Michael
Caplan, David	Hoy, Pat	Pupatello, Sandra
Churley, Marilyn	Kormos, Peter	Ramsay, David
Colle, Mike	Kwinter, Monte	Sergio, Mario
Conway, Sean G.	Lalonde, Jean-Marc	Smitherman, George
Cordiano, Joseph	Levac, David	
Crozier, Bruce	Marchese, Rosario	

**The Acting Speaker:** All those opposed, please rise and remain standing.

**Nays**

Amott, Ted	Gill, Raminder	Mushinski, Marilyn
Baird, John R.	Guzzo, Garry J.	Newman, Dan
Barrett, Toby	Hardeman, Ernie	O'Toole, John
Beaubien, Marcel	Hastings, John	Ouellette, Jerry J.
Chudleigh, Ted	Hodgson, Chris	Runciman, Robert W.
Clark, Brad	Hudak, Tim	Sampson, Rob
Clement, Tony	Jackson, Cameron	Spina, Joseph
Coburn, Brian	Johns, Helen	Sterling, Norman W.
Cunningham, Dianne	Kells, Morley	Stewart, R. Gary
DeFaria, Carl	Klees, Frank	Tascona, Joseph N.
Dunlop, Garfield	Marland, Margaret	Tsubouchi, David H.
Ecker, Janet	Maves, Bart	Turnbull, David
Elliott, Brenda	Mazzilli, Frank	Wettlaufer, Wayne
Flaherty, Jim	Miller, Norm	Wilson, Jim
Galt, Doug	Molinari, Tina R.	Wood, Bob
Gilchrist, Steve	Munro, Julia	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 34; the nays are 48.

**The Acting Speaker:** I declare the motion lost.

The business being completed, this House stands adjourned until 1:30 pm.

*The House recessed from 1216 to 1330.*

## MEMBERS' STATEMENTS

### SPECIAL EDUCATION

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I rise in my place here in the Legislature this afternoon to advocate for hundreds of special-needs students who are currently not at school in the schools operated by Renfrew County District School Board, because up in our part of eastern Ontario we have a now nearly two-week-old strike between the Renfrew County District School Board and a number of collective bargaining units—the educational assistants and others. What I want to do today is simply to stand in my place and advocate on behalf of these special-needs students who are not getting the education they require because of this work stoppage.

These special-needs kids are among the most vulnerable young people in our community. They need and expect not just education but routine and regularity in their lives. I want to say to both parties to this dispute—to the Renfrew County District School Board and to the Elementary Teachers' Federation of Ontario, which is the bargaining unit for the other side—in the interests of these vulnerable young people, get back to the bargaining table now. Get this strike settled, in the public interest, but most especially in the interests of these very special vulnerable young people.

### HALTON CITIZENS

**Mr Ted Chudleigh (Halton):** I rise today to recognize some local heroes in my riding of Halton. These people have contributed significantly to their communities to enhance the quality of life for all. They have been named citizen of the year in their respective towns.

In Milton, Kathy Powell was recognized as a quiet but tireless servant of her community. She has been involved with Milton District Hospital, her church, the local long-term care facility, Allendale, and at several nursing homes. She organized a multi-denominational pastoral visiting program for Milton that last year arranged over 1,800 visits to people at the hospital. Kathy supported a chapel in the hospital and a library for patients.

In Acton, local pharmacist Gary Barton was honoured for his contributions over 33 years on the job, including supplying formula to needy babies, sponsoring local sports teams and organizing foot care clinics for seniors. Consulted on what to do when a young boy swallowed some raw cookie dough, Gary calmly told the mother to



place the boy on a heating pad for 20 minutes at medium temperature. When asked if this would help kill the germs in the dough, he replied, "No, but it'll sure be cool to see if he passes a cookie."

Doreen and Manley Densmore were recognized as Georgetown's citizens of the year. Doreen is very involved in the fall fair and the local chapters of several charitable organizations. Manley is very active in the fall fair and the Georgetown farmers' market. He volunteers with Boy Scouts and has coached youth baseball and hockey teams for more than 20 years.

These types of local heroes can be found throughout all communities in Ontario. Kathy, Gary, Doreen and Manley are in Halton, and I salute their contributions to make Ontario a better place to live, work and raise a family.

### EDUCATION ISSUES

**Ms Caroline Di Cocco (Sarnia-Lambton):** One hundred high school students from Sarnia walked out of school yesterday to highlight the deterioration of their quality of education. One student, Natalie Frijia, noted that changes to curriculum have been brought in so quickly that the imposed new curriculum is not yet completely written. As a result, the teachers still have no way of knowing what materials they should prepare for the next term.

Not only have these issues eroded the quality of education in the classroom, but students like Natalie are facing the double cohort in 2003. These students are concerned that the quality of education has deteriorated, which in turn has not prepared them well to compete with double the number of students who are applying to post-secondary education in the near future.

These students are fed up with being pawns as the Ministry of Education makes one uninformed decision after another. These students walked out yesterday and took a stand, because they wanted to send a message to this government. The message is that education in the classroom is suffering and the students are paying the price.

### OPHTHALMOLOGICAL HEALTH CARE

**Mr Peter Kormos (Niagara Centre):** Down in Niagara region, the crisis around access to ophthalmologists carries on unabated. This government has persisted in ignoring the incredible and critically important shortage of ophthalmological services. You've got to understand that Niagara is an aging community. It's among the oldest communities in Ontario and indeed in Canada. Although the services of ophthalmologists aren't restricted to people who are aging, it's that population that places the greatest demand, most significantly for cataract surgery.

What's happening down in Niagara, because of this government's refusal to respond to the crisis in ophthalmology, is that patients have to wait nine months

or more, which is more than double the average waiting period for ophthalmological surgery like cataract treatment—more than double the average across the province.

It is imperative that this government respond to the pleas of ophthalmologists, the pleas of the Niagara District Health Council and the requests that have been made numerous times in this Legislature by myself. It is imperative that this government deem the Niagara region to be eligible for SRI exemption so that ophthalmologists can address the demand being placed on them.

If they don't want to hear it from me, they can call Dr Beiko, like I did earlier today. I interrupted him in the operating room down in Niagara, and he confirmed for me that there is a crisis, that people are suffering and that this government can resolve that crisis. It has refused to do so for over two years now. It's time for this government to move promptly. Deem Niagara to be eligible for SRI exemption with respect to ophthalmologists.

### VERONICA BRENNER

**Mrs Julia Munro (York North):** I am pleased to rise today to pay tribute to a constituent in my riding of York North.

Veronica Brenner promised to save her best jump for a special occasion. That special day arrived on February 19 this year, when the 27-year-old Sharon resident was true to her word, uncorking for the first time in competition a triple twisting double flip to score an Olympic silver medal in women's freestyle aericals at Deer Valley Resort in Park City. Actually, Brenner wasn't saving the trick as much as she was working feverishly to prepare it for the Salt Lake City Olympics.

The back full-double full was one of two jumps she had been perfecting. She had not performed either of these jumps on snow, much less under the pressure of competition on the world stage, prior to a final week of training leading up to the games. She really had little choice but to go for the gold, as it were, sitting in fourth place after the first round of jumps in a field of 12 finalists. The second jump was among the best Brenner had executed in her career.

Veronica Brenner, the World Cup champion in 1997, missed all of last season because of reconstructive knee surgery, and now she must compete with a knee brace.

Congratulations, Veronica Brenner, a great silver medallist we are all very proud of.

### LONG-TERM CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's extremely difficult to understand how the provincial government can continue to treat the frail and elderly in our province so shabbily at a time when they truly need our support and certainly deserve our respect.

The decision last year to drastically cut back support to our home care sector has left many people simply unable to stay in their homes. Unfortunately for those who are able to get a placement in one of our long-term-

care facilities, the level of care that is available to them is sadly inadequate, and the reason for that is that the government will simply not provide the needed operating funds to allow the caring staff the time they want to spend with their residents.

The family and friends of these residents are understandably distressed by the day-to-day reality faced by their loved ones, and they want all of us in the Legislature to make a plea to the health minister to improve this tragic situation.

As part of this effort, the Ontario Long Term Care Association has launched a province-wide campaign to raise awareness of this great need. Last Friday, Thunder Bay representatives Mike Kopot and Yvonne Mason brought in over 500 postcards, which I would like to have delivered to the health minister today. Daniel, could you do that.

Minister, the people who reside in our facilities in Thunder Bay deserve to be treated with dignity. They supported our community, they raised families and they paid their taxes with the hope and understanding that when they needed help, it would be there for them. Now they're lucky to get one bath a week and frequently have less than five minutes of help getting up, washed and dressed. This is a heartbreaking reality for the residents, their family members and the staff, who are run off their feet trying to provide decent care.

Minister, do the right thing. Provide the needed operating funds so that proper care and dignity can be restored to those people to whom we owe so much.

1340

#### POLICE WEEK

**Ms Marilyn Mushinski (Scarborough Centre):** This year, Ontario's policing community celebrates Police Week from May 12 to May 18. It's a tremendous opportunity for all Ontarians to say thank you to the men and women who keep our streets and communities safe. This year's theme is Standing Proud—Careers in Policing.

The Ontario Association of Chiefs of Police has told us that the recruitment of appropriate candidates is an issue for municipalities. Ontario needs more top-quality men and women to help ensure the continued safety, security and prosperity of our communities and our province. Through Police Week, we can help promote the benefits of policing as a good career to good candidates. It has all the hallmarks of a great career. There's challenge, room for advancement, good salaries, benefits and pensions, and there's something many other careers don't offer: an opportunity to make a real difference in people's lives and the community. Police officers have the satisfaction of knowing that every day they are on the job, they are making our world a better and safer place.

We owe the police officers of this province a tremendous debt of gratitude. They willingly place themselves on the line every day to protect the rest of us. Sometimes they die in the line of duty. It was to honour the valour and contributions of these men and women that the

government erected the police memorial, the theme of which is Heroes in Life, not Death.

I invite all members of this House to join with me to recognize the contributions of our provincial, municipal and First Nations police officers across Ontario.

#### MINISTRY SPENDING

**Mr George Smitherman (Toronto Centre-Rosedale):** Chris Stockwell seems to have an addiction to misspending taxpayer dollars. Yesterday it was revealed that the reason Stockwell didn't make his staff pay up for boozing on the people's tab was because his expense records show that he was in the same bars and clubs at the same time. Even though he is breaking his own rules, he thinks it's OK to buy alcohol with taxpayers' money and he's refusing to pay up.

This isn't pub-crawl Chris Stockwell's first time getting busted for abusing the people's money. In 1990, when he left Metro council to be an MPP, it was revealed that he attempted to collect a \$10,000 severance payout even though he hadn't missed one day of work. Remind you of anybody? Here's what he had to say at the time: "Now it looks like I am a greedy bastard. Every one of those suckers are getting it. I'm no oinker. I have always kept my spending down, but now it looks like I have been caught red-handed."

Yet again, Stockwell has been caught red-handed being an oinker. Ontario Liberals are very concerned that this is the same kind of market discipline that Chris Stockwell and Ernie Eves are going to bring to Hydro One. Ontario Liberals stand in this Legislature today and one more time, in the presence of the minister of Everything, the front-row leader of that government today, ask that he stand in his place and fork over the dough, that he pay back the taxpayers for boozing on the taxpayers' dollars. In this day and age, that's the least we can ask of that minister.

#### OPPOSITION DAY MOTIONS

**The Speaker (Hon Gary Carr):** Members will be aware that there appear on today's Orders and Notices paper two notices of an opposition day to be debated next week. Under standing order 42(d), the Speaker is required to select one of the notices for consideration, taking into account the order in which they were received.

I would like to advise the members that the motion by Mr McGuinty, the leader of the official opposition, will be the one that will be selected for debate next week.

I'm sorry; we missed a member's statement. I apologize. I was up too quickly. The member for Peterborough.

#### MONIQUE HARTIN

**Mr R. Gary Stewart (Peterborough):** The first time I get to speak to other than Galt or O'Toole, I want to make sure I get it in.



Today I would like to recognize Peterborough's Monique Hartin for her recent sports achievements at the International Challenge in Florida. Monique came home with two gold medals, a silver pennant and a world record. What an accomplishment.

Monique, a paralympic athlete, has cerebral palsy. At the International Challenge, she struck for the gold in discus with a throw of 21.27 metres, breaking her former world record throw of 20.74 metres. She also won the gold in javelin.

She's continuing in her sports activities in local competitions and in other provinces. This week, she will compete in British Columbia at the nationals, where she hopes to make the Canadian team in all three events. If she is successful, she will represent Canada in July at the International Paralympic Committee world trials in France.

We in Peterborough are very proud of Monique's success. She is a true athlete in her field. Please join me in showing our appreciation for this outstanding athlete.

## INTRODUCTION OF BILLS

### LOI DE 2002 SUR L'AUTOROUTE PIERRE ELLIOTT TRUDEAU PIERRE ELLIOTT TRUDEAU HIGHWAY ACT, 2002

Mr Lalonde moved first reading of the following bill:

Projet de loi 21, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de nommer l'autoroute 417 Autoroute Pierre Elliott Trudeau / Bill 21, An Act to amend the Public Transportation and Highway Improvement Act to name Highway 417 the Pierre Elliott Trudeau Highway.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**M. Jean-Marc Lalonde (Glenarry-Prescott-Russell):** Pierre Elliott Trudeau a rempli les fonctions de premier ministre du 20 avril 1968 au 4 juin 1979 et du 30 mars 1980 au 30 juin 1984. Le commencement et l'achèvement de l'autoroute 417 ont eu lieu au cours du mandat de premier ministre du Canada de Pierre Elliott Trudeau. Pendant la durée de ses fonctions, M. Trudeau a passé un grand nombre d'heures sur l'autoroute 417, voyageant en direction et en provenance de sa résidence privée.

Pierre Elliott Trudeau was named Canada's top news-maker of the 20th century in December 1999, and will be forever credited with the valuable contribution to the promotion of democracy in this country and abroad. Naming Highway 417 in Pierre Elliott Trudeau's honour

would not only recognize his contribution and commitment to this great highway, which links Ontario and Quebec, but would also acknowledge his legacy of nation-building in Canada.

### SOLICITORS AMENDMENT ACT (CONTINGENCY FEE AGREEMENTS), 2002 LOI DE 2002 MODIFIANT LA LOI SUR LES PROCUREURS (ENTENTES SUR DES HONORAIRES CONDITIONNELS)

Mr Bryant moved first reading of the following bill:

Bill 25, An Act to amend the Solicitors Act to permit and to regulate contingency fee agreements / Projet de loi 25, Loi modifiant la Loi sur les procureurs pour permettre et réglementer les ententes sur des honoraires conditionnels.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael Bryant (St Paul's):** The bill amends the Solicitors Act to permit solicitors to enter into contingency fee agreements with their clients and to regulate such agreements. Contingency agreements are prohibited in criminal and family proceedings. Except with approval of the court, the maximum amount of a contingency fee is one third of the amount recovered. Contingency fee arrangements shall not permit the solicitor to recover costs as well as a proportion of the amount recovered unless approved by the court. Contingency fee arrangements shall be deemed to include a provision to make the solicitor liable for costs awarded against his or her client in the same proportion as the solicitor would recover if the action or proceeding were successful unless the agreement explicitly provides otherwise. The bill allows the Lieutenant Governor in Council to make regulations governing contingency fees.

1350

## VISITORS

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: I'd like to take this opportunity to ask all members present today—and in particular the member for Huron-Bruce, the Minister of Agriculture—to welcome one of her constituents today, Donna Murphy, who's here visiting and sitting in the members' gallery.

**Interjection:** Her name's Brenda.

**The Speaker (Hon Gary Carr):** Brenda. Nice to have you with us, Brenda.

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: I would like to add that Miss Brenda Murphy fought the Ontario government and won in court. When the government wanted to sell other than liquor in LCBO stores, she went to court and she won and the gov-

ernment is no longer selling other than booze in their liquor stores.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is it agreed? Agreed.

**Hon Mr Stockwell:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business:

Mr Martin and Ms Martel exchange places in order of precedence; and

Mr Tascona and Mr Wood exchange places in order of precedence; and

Notwithstanding standing order 96(g), notice for ballot items 43 through 46 be waived according to the clam chowder act.

**The Speaker:** Mr Stockwell moves that, notwithstanding standing order 96(d), the following change be made to the ballot list for private—

**Interjection:** Dispense.

**The Speaker:** Dispense? Dispense. Is it the pleasure of the House that the motion carry? Carried.

### HARRY WORTON

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for five minutes on the passing of Harry Worton.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

**Hon Mrs Elliott:** I would like to take a moment here in this Legislature to recognize an esteemed former member of our Legislature who recently passed away at the age of 81 in my community on March 2. I refer, of course, to Harry Worton, who served as the member of provincial Parliament for Wellington South from 1955 to 1977.

Mr Worton was born and grew up in Guelph. He served as an alderman for the city of Guelph and was mayor of Guelph from 1952 to 1955. He did his business as a baker, and in fact at one point we used to joke in Guelph because our MP was a butcher and we wondered when next the candlestick maker was going to come along to represent us. But Harry represented us well. He was also the president of the Guelph Chamber of Commerce in 1958.

He was a very effective spokesman for all provincial issues and was well respected, I understand, by members of all parties here in this House.

Harry won an amazing seven elections in a row with relative ease, something I think all of us here can appreciate, especially since Harry spent most of his time on the opposition benches. After one of his many provincial election victories, Harry attributed his repeated successes to "keeping the fences mended" between campaigns.

He was a tall, striking man with an easygoing manner and a constant smile. He endeared himself to constituents, preferring to look after their interests at home rather than seek the greater glory of the Legislature here, despite his many years of seniority.

Always a frugal politician, he never had a constituency office. He preferred to work from his Queen Street home, and in 1975 his constituency office expenses were \$624. The average MPP in Ontario filed for expenses somewhere around \$17,000.

I remember having conversations with his wife, Olive, about this very topic, and I want to say to his family that I know, and I'm sure many others in Guelph know, that Harry's ability to deliver his constituency work from his home was not done without the dedicated support of his devoted wife, Olive.

He served as the Liberal Party whip for most of his time here. He was a whip because he had the authority, I think, and the affability to get the job done well.

I'm sure he may have preferred to spend his time on the governing side of the Legislature. But Harry was elected again and again to represent my constituents in Guelph because he understood that the most important part of his job, and our job as public servants, was to stand and speak for the people who elected us back home. It is a tribute to Harry that he spent most of his time here and represented us all with dignity and pride, and I think what was important to him was that he represented the community he had grown up in.

One of our local reporters said of Harry, "As a representative from Guelph-Wellington, I know the tremendous impact Mr Worton had on the region of Guelph as a father, a friend, a member of the provincial Parliament and as a businessman.

At his retirement party in 1985, Guelph's then mayor, Norm Jary, summarized the feelings of most everyone who knew Harry Worton. "He's a man for all seasons and for all reasons, an outstanding political representative and a wonderful friend to everyone here tonight."

I know my colleagues here in the Legislature will join me in saying to Harry's family that we remember him as a fine man and a good legislator, and we miss him, as I'm sure his family does.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm delighted, on behalf of my Liberal colleagues, to join Ms Elliott in paying tribute to one of my former colleagues and one of the longest-serving members of this Legislature. Harry Worton, as Ms Elliott has rightly observed, was here for very nearly 30 years, all of it, from beginning to end, in the opposition.

Harry looked like someone straight from central casting. He was tall and erect. He used to walk in the



north wing about this time of the day, a little earlier, with a dark blue suit and a homburg, and he had just disembarked from a very prominent-looking vehicle. Harry never needed to be a cabinet minister to drive a car that looked ministerial.

He was a genial soul. Harry made very few speeches here. There's an irony in my paying tribute to Harry, because Harry once said to me, "You know, young Conway, more people have talked their way out of this place than ever talked their way into this place." There was a lot of wisdom in that observation.

Harry was a baker. His good friend Bob Nixon once said of Harry Worton, "You know, Harry was the MPP for 30 years, before which he was the mayor of Guelph, before which he was an alderman in that wonderful city." Nixon used to say of Harry that in all his long years of distinguished public service, Harry Worton made only one political promise, and that was in the beginning he promised to put more raisins in the buns. And apparently he delivered.

I say to my friend O'Toole—and I want you to just think about this—Harry Worton was first elected in the June 1955 election. He beat an incumbent cabinet minister, Bill Hamilton, at a general election when Les Frost and the Progressive Conservatives were on their way to winning 84 of 98 seats. Can you imagine being able to say you won your first election in that kind of Tory tide, and you beat a cabinet minister to boot? And for the remaining elections, it was never close. Harry built a wonderfully bipartisan coalition that returned him through good times and mostly bad times, if you are a provincial Liberal in the Frost, Robarts and Davis era.

1400

Harry once told me a story that I do want to tell, and I just want people to think about this, because it speaks to a time that is gone for good. Harry was the opposition member for Guelph. He knew Leslie Frost well. A Conservative cabinet minister was hospitalized in Guelph. The Conservative Premier of the day, Leslie M. Frost, asked the Liberal opposition member from Guelph to go up to his office after question period, which Harry did. Leslie Frost gave to Harry Worton confidential cabinet documents for Harry to deliver to that Tory cabinet minister in that Guelph hospital. Harry did it, and I want to tell you that those confidential cabinet documents were never in safer hands.

*Laughter.*

**Mr Conway:** I seriously ask my colleagues—we all laugh, but, you know, this is a system predicated on the Victorian notion of honourable members. When we laugh at that story, at whom and at what do we laugh?

**Interjection:** Ourselves.

**Mr Conway:** I hope not. It was a different time, absolutely.

My friend Bradley will remember that not only did Harry make few speeches, but I can't remember Harry asking very many questions. I'll tell you what Harry used to do during question period. Harry went up and down the benches doing his business, asking the Minister of Finance some question, then moving on to the Minister

of Agriculture and then moving on to the Minister of Natural Resources and sometimes being asked by the Speaker of the day perhaps to move aside to let one of his Liberal colleagues ask that minister a question in the question period. That's how Harry did business.

Ms Elliott is absolutely right that his public life could not have been as successful or as long-term as it was without the enormous contribution made by his wife of 57 years, Olive. So, to Olive, to his two children and to his memory, we, his Liberal colleagues present and past, say thank you and, Harry, a job well done and one well remembered.

**Mr Gilles Bisson (Timmins-James Bay):** I too, on behalf of the New Democratic Party, would like to take this opportunity to say a few words about a colleague I didn't know, and quite frankly I don't think many of us did, because we weren't here when Harry left the Legislature. But I had the opportunity to talk to some of the members who knew him and also to do a bit of research.

One thing that really stands out, and our friend Mr Conway raised it, is that he was a person who never took himself seriously, but he took his job seriously and, more important, took the people he represented seriously. He wasn't a person to grandstand on anything. He was an individual who believed that his first job and number one responsibility was to the people who elected him in his riding and to work on behalf of those particular individuals.

In all the reading I've done of the very few speeches he made in this Legislature, which Mr Conway talked about, and I went through some Hansards to look for some of the questions, of which there were not many, what was interesting were the accomplishments he had in his riding. He was an individual who didn't have to come to the Legislature and stand up every day and ask a question in the House or stand up every day and make a speech in the House or go back to his local riding and do a whole bunch of media events. He was one of those individuals who just went along and did his job and basically understood that the reason he was here was not, in his view, to grandstand but to actually go out and do the work on behalf of the constituents he represented.

It was pointed out that he first came to Parliament defeating a cabinet minister at a time when it was not easy to be elected as an opposition member. That is something that I think a lot of us in elected capacity here in the Legislature understand is not easy. Obviously, he was and must have been a very popular mayor, but it also was the confidence that the people of his riding put in him and in his ability to get the job done.

As you look at the many accomplishments he had, they were a lot of things that were very important to the people he represented. He was the type of individual who said, "If there's something that needs to be done for the local hospital, I will go and speak to the minister responsible. I will speak to the bureaucrats. I will do what I have to do at the local level. I will do the fundraising. I will do all the hard work that needs to be done to get the job done at the end."

What's interesting, in speaking to people like Elie Martel and Mr Bill Ferrier, who served here at the time, is that he did that in a way that inspired others to do it with him. He didn't grandstand. He didn't stand up and say, "Look at all the hard work I'm doing, the member elected for this riding." He led by example and showed what needed to be done at the grassroots level, to get involved at the local level on the boards in order to be involved in the fundraising and in order to do all the hard work that needs to be done in the trenches in order to be able to get the job done. I think that's really a tribute. It's something we should all recognize.

My legislative intern, James Cairns, in doing the research will probably be a little bit mad, because I'm not reading this speech. But that's all right. But there are some interesting points that he puts out in that. One of them is a comment that was made by Donald MacDonald, the former leader of our party. He said there was never anybody he ever served with in the Legislature who was so non-partisan. He said he was very partisan at election time. He was a proud Liberal and a fierce Liberal when it came to elections and one guy who really worked hard on behalf of the Liberal Party of Ontario of the day.

But something that I think we should learn and we should pay attention to, and if there's a legacy that Mr Worton could leave to us, is what he lived for, which was, that yes, at election time and, yes, at certain times you need to be partisan, but you need to work with individuals from all political walks of life in order to be able to get the job done in your constituency. Talking to people, it didn't matter if it was a Conservative or New Democrat who came to him in his constituency; to him it didn't matter. Party colours in between elections meant nothing. He was blind to those colours and represented the people who walked through his office. No matter what issue, if it was important for his community, he did it.

He was not a person who was afraid to stand out to be counted on issues. Back in the early 1960s—and we need to appreciate the time—Mr Worton was one of the few MPPs who stood up in the House and fought in order to get the federal government to make divorce laws such that they were not as hard on women as they were in the days of the early 1960s. He recognized as a legislator that the rules of the day really were against women and made it very difficult for women and trapped women in relationships that we all know far too often in those situations could be quite abusive. But being a person of quality and being a person who was non-partisan and a fair person, he said, "It's a good issue, it's the right issue and I will do what I have to do in order to not only do my job as a member in this Legislature but to try to convince the federal government to be able to make those laws better for people after me."

He understood the very simple rule: once you walk into the Legislature, your job is very simple. It's to leave things, once you leave, a lot better than when you came in. He understood that and did that each and every day he served in this Legislature.

He had said one thing when leaving the Legislature, and I thought it was interesting. James Cairns, my legislative intern, whose speech I didn't read, who is sort of looking at me now, said in one of the comments in there that as Mr Worton left the Legislature, he had one very simple thing to say: "Been around here a while. It's about time that I retire." He left and continued the work that he did in his community.

So let us all take this opportunity to remember the work Mr Worton did in this Legislature and for Ontarians in his riding; remember fondly and wish the family well in this time of sorrow.

**The Speaker:** I thank the members for their comments, and we'll ensure copies will go to the family.

## NURSING WEEK

### SEMAINE DES SOINS INFIRMIERS

**Hon Tony Clement (Minister of Health and Long-Term Care):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for approximately five minutes on the subject of nurses.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Clement:** It is with great pride that I rise today in honour of Nursing Week, which was from May 6 to 10 this year. Indeed, while we were busy and being occupied as members with the speech from the throne, it was also an opportunity for many of us to spend part of our day with some of our local nurses.

I indeed had the opportunity to attend at St Anthony School. I don't know whether they chose that school deliberately to remind me that I should be more saintly, but in fact it was a great opportunity to witness our public health nurses in action and see the kind of leadership they were providing, which in turn meant that the students of that school could provide leadership in public health and dietary issues.

I would like to inform this House that over the past few months both Premier Eves and I have had the opportunity to criss-cross this province, engaged in a certain activity. But we were, as part of that, listening and learning about the priorities of Ontarians. We've been hearing the thoughts of families from a variety of communities, from tiny hamlets to the megacity here in Toronto. We found that regardless of where home is in this vast province of ours, the people of Ontario are consistent with their priorities. They range of course from education to the economy to the environment, but unquestionably and perhaps most importantly of all, at least from my perspective, to health care.

1410

When it comes to health care, the messages are very clear as well. The people of Ontario appreciate and value the work of nurses and doctors but tell us we need more of them.

They tell us nurses need to know that they are important to Ontario. Nurses need to know that there are



jobs available here in Ontario. Nurses need to know that training and skills upgrading are available here in Ontario, that the professional and personal rewards of a nursing career are available in Ontario, that opportunities for nurses to achieve their best are available here in Ontario. The commitment our government made to nurses in 1999 to strengthen and enhance the nursing profession continues today. The Ernie Eves government has sent a clear message to the people we serve, to nurses of all disciplines all across this province, to those of you here today on both sides of this House, a message that says that the Ernie Eves government and I, as Minister of Health, support the nurses in Ontario.

Le gouvernement d'Ernie Eves a lancé un message clair aux électeurs, aux infirmières et infirmiers de toutes disciplines de par la province, et à vous ici aujourd'hui des deux côtés de l'Assemblée, un message qui dit que le gouvernement d'Ernie Eves et moi-même, en tant que ministre de la Santé, appuyons les infirmières et infirmiers de l'Ontario.

I want you to know that we will do what is necessary to enable the nursing profession to grow and meet the challenges facing them in Ontario in the coming years. We are moving forward with an advanced-practice nursing strategy. As part of that strategy, and in conjunction with our commitment to primary care reform, \$3 million will be invested over the next three years for an innovative demonstration project that will place up to 22 more nurse practitioners as the first point of access in as many as 12 high-needs communities. These are communities with few or no doctors and whose residents have the nearest ER as their only form of primary care. Many times these residents simply have to do without. To our government, that is simply unacceptable. It is our priority to ensure we have the doctors and nurses to provide primary care for you when you need it and where you need it.

Notre priorité est de faire en sorte que les médecins et les infirmières vous offrent les soins de santé primaires au moment et à l'endroit opportuns.

That is why we have made the commitment to more than double the number of nurse practitioners in the next three years. We need more well-trained nurses and nurse practitioners working in stable and satisfying environments.

I'm excited about our recent announcements and our commitment in the throne speech to work with NPs to break down any remaining barriers they face. I've seen the tangible results of our previous collaborations with nurses and nurse practitioners, and it works. Our previous investments in nurse practitioners are making a real difference in the lives of patients. We want more nurse practitioners working in Ontario, and we want them now.

I want nurses from all of the disciplines across this province to know that I know you are facing great pressures. I know that you feel overworked and tired at times. But I also know how much we all care about the people we serve. I know that we can work together and that we will work together to address the pressures nurses

face. We have common goals, and I will work with nurses to achieve them.

Just like you, the Ernie Eves government wants a rewarding professional environment for our nurses, a system that gives nurses the needed tools and supports, a lasting solution to nursing shortages and overwork, and a positive working relationship between nurses and our government.

These goals fuel our commitment to a health care system that gives you the tools you need to stay healthy and takes care of you when you are sick, a health care system that is universal, that works together with doctors and nurses to bring you the care you need when and where you need it.

I look forward to working with our nurses to achieve their goals to enhance the nursing environment and to ensure the best possible patient care.

**Mrs Sandra Pupatello (Windsor West):** I too, along with the Liberal caucus, want to celebrate nurses, and last week was in fact Nursing Week.

Based on what we just heard today, I would suggest that the Minister of Health is in fact on a different planet and not in Ontario, where the struggles of nurses are seen every day and heard certainly by members of the Liberal caucus.

I ask you, what are the nurses looking for? They are looking for stability and they are looking for the ability to practise as they were trained. That currently does not exist in the province of Ontario.

I ask you, what are the patients and families looking for? They are looking for those nurses to be able to provide care, thorough care with compassion.

I ask you, what has the government created? In fact, the government has created a system that is literally drumming them out of the business. Just last week I sat, along with many of my caucus colleagues, at a round table of nurses and heard the most disturbing of things. These are the things that we heard—not like, unfortunately, what the minister apparently has heard.

Samples of the nurses who expressed grave concerns: senior nurses in hospitals taking the first opportunity to retire, just when they are the most valuable at providing the kind of mentoring required for new young nurses. Those nurses talked about the stress levels in the system today. They talked about the highest level of stress leave among nurses ever, nurses who are off because of back issues, nurses who are off on sick time. There were great concerns around the table as well about part-time nurses. They can't get jobs full-time here in Ontario, stable, full-time jobs, so those same nurses scramble with two or more part-time jobs. Why? Because hospitals don't have stable funding to provide that large decision to hire them on full-time and they are loath to make that decision.

As to nurses who work in the home care sector—those nurses who just maybe have a job next year, depending on, after the next bidding war through the CCACs, what company will become the provider—this government always assumed that those nurses were like widgets on a conveyor belt that would just move from one company to

the next, depending on who won that bidding war. Depending on that company they happen to work with, are they even paid for travel time? Are they paid when they jump from one patient to the next? What do they do with each of those patient visits? Today they spend the lion's share of their time on the phone lobbying for help for that patient because the CCACs are so dramatically cutting back those services.

What did the government answer to these needs? They brought in Bill 130. What did that bill do for home care, and in particular for nurses in that sector? The government-appointed boards that answer directly to the health minister: no community input, no access by the community to information about how services are being cut in the home care sector. That home care patient, the most vulnerable of all—many are seniors whose only contact is that same service provider—is loath to say a word lest those services somehow be affected.

Those nurses, the same group, told me of running from room to room down the hospital corridor, the negotiation with the family, begging that family, "Please understand the time constraints we're under, that we can't do what's required on a timely basis for your family member because there just aren't enough of us." Those families we've talked to—all of us have talked to them—are loath to leave their family member alone at the hospital, uncertain when help would come for that most basic of care, things like a trip to the bathroom. How many needless catheters, how many needless diapers have been applied in this province just because we lack those human hands in that hospital room?

The most disturbing information of all, the most disturbing to me and many others, is the significant level of abuse that nurses are now facing in Ontario—abuse, absolutely dramatic. Imagine a system that has so frustrated patients and their families that they take their anger at an inept system out on the nurses, those providing the care.

1420

We must mention nurse practitioners, almost 300 of them trained in Ontario today. Last week's announcement, 22 nurse practitioners sent to work in underserved communities where there isn't a doctor in sight—so much for allied professionals working together to help carry that load, nurse practitioners who could be assisting, lifting the load from overburdened physicians. Even today's announcement of the opening of the primary health network in Oakville—not a nurse practitioner in sight at that network.

What kind of policies are we setting in this province when we don't know where we're going? Surely and clearly you don't know how you're going to get there.

This week, like all the other 51 weeks, we should celebrate nurses in our health system, celebrate their courage and their stamina that keeps them in a system determined to drum them out. We applaud the nurses who work actively to make life better every day for patients and their families. We applaud them and, as

well, with this strain of a much-mismanaged system, we pray for them.

**Ms Shelley Martel (Nickel Belt):** It's my privilege to acknowledge Nursing Week on behalf of the New Democratic Party.

You will know that Nursing Week is a celebration of the achievements of the nursing profession, of their commitment to their patients and the dedication of nurses to providing high-quality patient care. Frankly, this is also a week to increase awareness among the public, policy-makers and many levels of government about the continued and significant contribution that nurses are making to the overall health and well-being of Ontarians.

There were some 46,000 members of ONA who celebrated the theme "Nurses: Trusted. Essential. Committed to Saving Medicare." I want to congratulate both the ONA and president Barb Wahl for the many activities that were undertaken across Ontario. I also want to thank them very specifically for their commitment to the Save Medicare campaign and for the money that was invested in their province-wide radio campaign to support medicare.

I also want to congratulate the Registered Nurses Association. The theme for Nursing Week for them was "Nurses: Real Heart. Real Smart." We have very much appreciated the leadership of president Shirlee Sharkey, who has now stepped down, and we want to thank her for her contribution. We also want to welcome the new president, Dr Adeline Falk Rafael, who we know will be a very strong leader for nursing. If I might, I want to thank personally the executive director, Doris Grinspun, because she has provided us with help many, many times with respect to initiatives that nurses are undertaking.

There are about 140,000 nurses who take care of us, of our children and of our aging parents. They really are at the heart of the health care system. Last week our leader, Howard Hampton, accompanied nurses to Evergreen Centre for Street Youth and learned how they are doing extraordinary work providing primary health care to very many marginalized youth, many of whom don't have homes to go back to.

My colleague Rosario Marchese also joined nurses at the Hospital for Sick Children to learn how they are coping with understaffing in terms of trying to recruit new nurses who deal with very sick children.

The reality is that despite some heroic efforts of many, many nurses, nurses are undervalued and overworked, and the cumulative effect of underfunding by this government and this government's general negative attitude toward nurses has created many challenges for this dedicated, hard-working profession.

In the submission we made to the Romanow commission, we said health care reform is essential and nurses have to be a part of it. We need their skills and their expertise. The reason we say that is because health outcomes are very much improved by nurses. There was a recent study done by ICES that showed that fewer patients die within a 30-day period after discharge when their hospital nurses have higher levels of education.



A recent University of Toronto study also showed that patients needing home care required fewer visits if their home care provider was a university-trained nurse. We know that nurses working in CHCs are providing much better outcomes because of their influence in health promotion, not just treatment.

But what is happening to nurses? What is the reality? The nursing job statistics produced by the College of Nurses of Ontario last week show that in fact the nursing shortage has gotten worse in Ontario once again. There were a total of over 2,800 fewer nurses employed in nursing in 2001 compared to the previous year; 1,971 more nurses have left the profession. What has the government done in the face of this?

The minister announces a pilot project, a demonstration project for nurse practitioners, 22 to be hired over the next three years in 12 communities. I tell you that nurse practitioners don't have to demonstrate again and again their skills and their expertise. This government should find a way to compensate nurse practitioners so that they can provide primary health care to the over 34 communities in northern Ontario that need them. We've got 268 nurse practitioners who are under-employed or unemployed, and this government is doing nothing to deal with that. Despite the government's rhetoric of its family health network—the minister officially opened the first one today—there is not even a nurse practitioner working at that family health network in Oakville.

Thirdly, this government has had a freeze on new community health centres since they were elected in 1995. The Association of Community Health Centres has a proposal in for 80 new community health centres that would hire probably 160 nurse practitioners. This government has done nothing to take the freeze off that program and get nurses and nurse practitioners hired.

This government has done nothing to respond to a report done in January 2001 by PricewaterhouseCoopers that showed that seniors in Ontario are getting 14 minutes of care from an RN, in comparison to 24 minutes a day in Manitoba and 35 minutes per day in Saskatchewan. We know that many long-term-care facilities are lobbying the government now for more money. We agree there should be more money, but there should be strings attached so that money goes to hiring more nurses in long-term-care facilities to provide care to our seniors.

Finally, this government's got to close the wage gap between community and hospital nurses, so that community nurses will be retained and deliver long-term care. I call on this government to end the funding freeze that CCACs are now facing, so that they will be in a position to increase pay so they can retain community nurses.

In conclusion, this government, if it really wants to acknowledge and support nurses, must urgently deal with some of the proposals I have just put forward on behalf of the New Democratic Party. If we want to recognize that nurses are critical to the health care system, then this government has got to start treating nurses in that way.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. We're very troubled by the activities at Hydro One. It appears that while you're saying all options are on the table, the management at Hydro One has an enormous vested interest in proceeding with the initial public offering. We're referring now specifically to what can only be called the kind of golden parachutes that the senior management have negotiated for themselves.

The prospectus shows us that the president has an employment contract that gives her a huge vested interest in selling Hydro One. According to the numbers in the prospectus, she would get a pension immediately of about \$1 million a year, fully indexed. She would get a cash payment, it appears, of around \$6 million. My question to you is this: recognizing that the public doesn't want to sell Hydro One but the president has a contract that gives her a vested interest in selling it, is this employment contract appropriate, in your view, Premier?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** If the facts were as the honourable member said, then, no, it would not be appropriate, in my opinion. However, I have asked the Minister of Energy today to look into the compensation packages for not only the CEO but for others in Hydro One.

I understood from your party's questioning yesterday that this was some sort of payment that was made if the company was sold. I am told that is not the case. The case is that there is a severance package for the CEO and others, I guess—I don't know the answer to the question—at Hydro One. I am quite prepared to look into it, and I've asked the Minister of Energy to do so.

**Mr Phillips:** I look forward to your tabling what does happen on compensation. I'd be happy to review the prospectus with any of your officials. As we read it, if the company is sold, it allows her to trigger an enormous pension, an enormous severance package.

I want to follow up what Hydro One is doing. As you know, they're running ads. It was just a week ago that this ad appeared, sponsored in part by Hydro One. Among other things, it says, "Ignore the myths and focus on the facts. Call your MPP and let him or her know you favour a stronger Hydro One through a public share offering." This was just a week ago. So we see Hydro One essentially spending Hydro One money, ratepayer money, to urge us to go ahead with something they have a vested interest in. Is this advertising appropriate in your mind, Premier?

1430

**Hon Mr Eves:** The honourable member is linking advertisements that Hydro One is doing to compensation packages. I don't think the two necessarily follow.

Having said that, there is of course divergence of opinion with respect to the future of Hydro One and the

sale of shares being one particular option. Obviously some people, it would appear, are very convinced that the sale of shares is the only option. They are expressing their opinion doing so. I believe that CUPE has a very strong opinion that may differ from that of Hydro One. I believe the Power Workers' Union of Ontario has a different opinion.

**Mr Phillips:** The issue is that Hydro One, what the people of Ontario own, is expressing an opinion and essentially saying to all of us, "Listen, you're all wrong if you do not believe the best approach is the initial public offering"—including you, Premier. They're saying, "Ignore the myths." Frankly, they're making fun of you. They're saying, "Phone your MPP and tell Ernie he's wrong."

I say to the people of Ontario, this is absurd. The board of directors have allowed the senior management to negotiate what I regard as a contract that rewards them immensely if the thing is sold. They're spending public money, money from Hydro, telling the Legislature that you're wrong if you do not believe the single best thing is to sell it in an initial public offering.

I repeat, Premier, is it appropriate for Hydro One to be spending Hydro One money telling us in the Legislature we're all wrong if we don't believe the best approach is an initial public offering; yes or no?

**Hon Mr Eves:** I don't believe the ad is saying that people are wrong. I believe it is expressing a very strong opinion, obviously, for a particular option, which is the sale of shares of Hydro One. The honourable member wants to link the two. I don't happen to share that.

**The Speaker (Hon Gary Carr):** New question?

**Mr Michael Bryant (St Paul's):** My question is for the Premier. Premier, your appeal of the decision of Mr Justice Gans is being heard on June 17, in a few short weeks. Will you agree to hold off introducing any bill amending the Electricity Act until such time as you've heard from the Court of Appeal?

**Hon Mr Eves:** I think it's important that the issues Mr Justice Gans has ruled on are clarified. We don't think it was an appropriate ruling. However, I understand that there are differences of opinion about these things, certainly among lawyers and obviously among judges as well. We believe that there are some certain inherent property rights that belong to the province of Ontario that belong to other owners as well.

**Mr Bryant:** I understand that, Mr Premier, and I accept that. You are making those arguments before the court on June 17. But I don't know how many times I've heard you rise in your place as the Premier or as the Deputy Premier and say the government will not proceed on a matter because it's before the courts. From Ipperwash to same-sex benefits, *M. v. H.*, going through to the Supreme Court of Canada and then back before the Legislature, the government waited to hear from the courts. You're the one appealing the decision.

My question for you, Mr Premier: you say you're open and consultative. The ink hasn't even dried on the throne speech, from that commitment. What's the rush?

**Hon Mr Eves:** The two are not analogous at all. Ipperwash has nothing to do with a piece of legislation. The honourable member obviously knows that. Neither did Patti Starr have anything to do with a piece of legislation, by the way.

**Interjection:** That's not relevant.

**Hon Mr Eves:** Well, what is relevant is that in both of those cases, the province of Ontario decided, and the courts decided, for that matter, in the case of Patti Starr, that there should not be a public inquiry going on while a case was before the courts. This has nothing to do with a statute, which is in this case the province of Ontario and the Legislature of Ontario clarifying their rights of ownership in law.

**Mr Bryant:** Mr Premier, I say that you should understand the importance of this issue maybe better than many other members in this House. You've sat in opposition and watched governments rush through misguided missions. You've sat in the backbench of a government and watched executive excesses. You have watched governments make mistakes and rush forward with misguided errors.

Now you have an option, sir. You have an option to listen to the Legislature before you proceed with your decision, your final decision. You have an option, sir. You can listen to the courts before you bring forth legislation. And on both counts you refuse to listen. On both counts you're not going to wait to hear from the courts.

**Interjection.**

**Mr Bryant:** The Premier says it's not true.

You're not waiting to hear from the courts before you proceed with your decision. So I ask you: you want to be open and consultative; you won't listen to the courts. You want to be open and consultative; you won't put the matter to the Legislature. Would you at the very least consider, Mr Premier, putting this important matter before this divided House via a free vote?

**Hon Mr Eves:** First of all, the court case involves many points of law and many issues, some of which have nothing to do with this particular statute.

**Mr Bryant:** You're not listening.

**Hon Mr Eves:** Yes, I am listening, and the point is that you're asking us to consult. The Minister of Energy is consulting and we will be consulting through the Legislature. The matter will be fully debated before a committee of this Legislature and fully debated in this Legislature before any action is taken.

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is also for the Premier. Premier, the prospectus for the privatization of Hydro One makes for very interesting reading, because what it outlines is not so much Hydro One improving or maintaining service in Ontario. It talks about purchasing transmission systems in New England states, purchasing transmission systems in mid-western US states, putting new high-voltage transmission



cables under the Great Lakes. In short, it's about moving Ontario's electricity for sale into the United States.

On January 1, I released a legal opinion from a trade lawyer, Steve Shrybman, where he points out that the combination of selling off our electricity system and the NAFTA agreement creates all kinds of problems for Ontario consumers. Are you not worried about Ontario losing control over its own hydroelectricity system, about people being forced to pay higher American prices just to keep our own electricity?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The leader of the third party is making a lot of assumptions in his question and in the summary of his facts.

I would agree with the leader of the third party in that I think our objective here as a government and as a Legislature is to ensure a secure supply of electricity and electric power for the people of Ontario for many decades to come at a competitive cost, and to protect the consumer while so doing.

**Mr Hampton:** Premier, "at a competitive cost," with the hydro generators privatized and Hydro One privatized, means in essence American prices, which are on the whole already much higher than our own.

Read the prospectus. The prospectus talks about literally hundreds of millions of dollars of investments putting transmission cables under the Great Lakes and buying up transmission facilities in the United States. This should be about serving Ontario consumers. It should be about ensuring that Ontario people have access to electricity. But the Hydro One privatization plan is all about expansion into the United States.

Premier, I've challenged your Minister of Energy and your former Minister of Energy to present a legal opinion which says we don't have to worry. Until now, none of them have come up with that legal opinion. So I'm asking you now: if you have a legal opinion that says we don't have to worry about the North American free trade agreement, we don't have to worry about paying much higher prices just to keep our own electricity, would you produce that legal opinion now, please?

**Hon Mr Eves:** The NAFTA rules that the leader of the third party talks about already apply to the province of Ontario.

*Interjection.*

**Hon Mr Eves:** Yes, they do.

I don't happen to share his summation of the opinion or his summation of the facts. If there's some discriminatory practice under NAFTA, then any business investor has the right to bring a challenge under NAFTA. They have that right now and they will have that right down the road in the future.

1440

**Mr Hampton:** No, Premier, that's where you're wrong, because provinces that operate their hydro systems as public utilities—Quebec, Manitoba, Saskatchewan, British Columbia, and hopefully Ontario will continue—are essentially exempt from some of those NAFTA rules. Right now in Ontario, Manitoba, Quebec,

BC and Saskatchewan, you can look after your own consumers and then, if you've got any surplus, you can sell that into the United States. But if you privatize, you cannot control exports, you cannot set a two-price system, a lower price for our own consumers and then a higher price into the United States. All of that is in Mr Shrybman's legal opinion.

So I'm asking you again, if you've got a legal opinion that says something different, produce it so the people of Ontario can see it before you do a dirty deal with your Bay Street friends.

**Hon Mr Eves:** The leader of the third party might be familiar with BC Hydro and its vast exports of power south of the border. They had something to do with the entire California fiasco.

There are all kinds of smaller utilities that generate power that export to the United States of America today. Nothing has changed depending on who owns what; NAFTA applies regardless.

## HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** The next question is to the Premier as well. I asked you twice, if you've got a legal opinion that substantiates your position, to then produce it. So far, over two years, you haven't produced it.

My next question with respect to the prospectus is about what happens should your government finally decide not to sell Hydro One. It would appear that if you decide not to sell Hydro One, Eleanor Clitheroe alone would pocket \$5.2 million. If you decide not to sell, she could simply walk out the door of Hydro One and say to the taxpayers and the ratepayers of Ontario, "You owe me \$5.2 million." Premier, do you intend to allow this rip-off of Ontario ratepayers? Is this your idea of a sound hydroelectric policy?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** If the leader of the third party was listening to the answer I gave to the member for Scarborough-Agincourt, he would know that I've asked the Minister of Energy to look into this matter of compensation for the CEO and other executives at Hydro One.

**Mr Hampton:** I would expect that you should know about it already. It's contained in four pages of the prospectus. If you add up Ms Clitheroe's \$5.2 million; then one of the other executive officers, Mr Taylor, at \$2.5 million; another executive officer, Ms Ng at \$2.5 million; and then another executive officer, Ms Prior at \$2.4 million, your top four officers over there at Hydro One, should you decide not to sell, can walk out the door and the people of Ontario would have to pay them in excess of \$12.7 million for doing nothing. Is this your idea of a sound hydroelectric policy for Ontario? If it is, please tell us how the people of Ontario are going to pay rates sufficient enough to pay these inflated corporate executive salaries.

**Hon Mr Eves:** I think the leader of the third party just made the best argument anybody could make for

changing the structure of Hydro One in the first place. We're looking into the matter.

**The Speaker (Hon Gary Carr):** New question.

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Premier. Premier, you and your Minister of Energy have stated that it is your intention to bring forward enabling legislation with respect to the possible sale of Hydro One before the completion of this session on June 27. Both of you have further indicated that you will not announce the government's decision with respect to which of the growing list of options you might choose from until at least into the summertime. In light of your undertakings in the throne speech, in light of your undertakings to the media and in this House with respect to meaningful consultations, how is it that we can be expected to debate, vote and pass within the next 20-some-odd days a major piece of enabling legislation without in fact knowing what the government intends to do with that legislation, at least until the summertime?

**Hon Mr Eves:** The honourable member refers to the prospective legislation as enabling legislation. It is legislation that will be designed to clarify the rights of ownership of the province of Ontario in light of Mr Justice Gans's decision. You can call it enabling legislation if you want, but it will clarify the rights of ownership that the province of Ontario has, which it thought it had as inherent rights ownership in the first place.

You say that we won't make a decision until the summer. I've never said that. I don't know where you get that from.

**Mr Duncan:** Actually, it was your Minister of Energy who said the decision won't be made until the summer.

Further to that point, Premier, how is it that we can even have a meaningful discussion of any legislation (1) that deals specifically with the Gans decision and (2) in the short time frame we have left? We have roughly 43 sessional days left between now and June 27. We in the official opposition have offered to sit through the summer, as this House did in 1985, to consider a major piece of legislation around broad public policy. How is it that you're going to pass that, in addition to 20-odd bills that your government left on the order paper in December, in addition to dealing with a budget? We say that you're not about consultation, that nothing's changed. Plus ça change.... You're going to try to jam through this legislation which will have everything to do with giving you the power to sell Hydro One. Why don't you let the House sit this summer? Why don't you announce your intention with a decision on Hydro before we're forced to debate the legislation? Let's sit for the summer and have a full discussion.

**Hon Mr Eves:** Even some of the honourable member's colleagues were having great difficulty keeping a straight face while he was talking about sitting through the summer.

There will be many weeks of debate before a legislative committee about legislation that clarifies ownership rights on the part of the province of Ontario. I think there will be ample opportunity for members opposite

and other members of Legislature to ask questions and to deal with the matters that come before the committee.

#### DURHAM COLLEGE

**Mr John O'Toole (Durham):** My question is to the Minister of Training, Colleges and Universities. As you know, we are moving forward in Durham region with Canada's newest university. I'm proud to say that, although the university will serve all of Durham, and indeed all of Canada, it actually resides in my riding of Durham.

You can well appreciate the fact that the university is facing very strict timelines in order to open for 2003. One of the conditions that must be met is the passage of Bill 139. Gary Polonsky, president of Durham College and one of the founding members and one of the founding members of the University of Ontario Institute of Technology, advised Durham MPPs that it is important for the bill to be improved before the end of this session. This will enable the university to proceed with hiring faculty, recruiting students and taking all the necessary steps to move ahead with the new university. Minister, could you please update the House on the progress of the Durham university bill?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** In light of the heckling from my good friend whose help Durham College needs to get this legislation through, there were a number of bills that were before the House in December, as our colleagues in the opposition have reminded us. We intend, of course, to get through a piece of legislation, with their assistance, that will take care of both the University of Ontario Institute of Technology and the Ontario Colleges of Applied Arts and Technology Act—which, of course, is the charter, which we've worked at—the Ontario College of Art Act, which many people in the opposition are supportive of, and the Ontario Education Communication Authority Act. All of this work was done in full, leading up to last Christmas. The college charter alone—both the legislation and regulations are ready, and we expect, with the help of our colleagues in this House, to get this legislation through before the end of this session.

**Mr O'Toole:** I know how hard all the members of Durham region have worked for this new university. I know there are many students across this province who want to receive a degree and go to university. The issue is tied to the double cohort; it could be argued that if the opposition blocks this, they're trying to block spaces that you and this government have provided for this new university. However, just one initiative and one university could provide a brief update of Ontario's progress in responding to the broader issue of the double cohort.

1450

Minister, in the House today I ask you, our Premier and the House leader to address this issue of Bill 139 prior to the rising of this House at the end of June or sometime in July or August.



*Interjections.*

**Hon Mrs Cunningham:** The rhetoric is not complimentary to the hard work of Durham College and of course to our own members of this assembly who worked very hard to get this done before Christmas. So I hope that you're interested in assisting us in this regard.

With regard to the double cohort, right now we are ready. We have a plan. Students are excited about this opportunity. We of course have built the buildings. We now have the operating funds, as the throne speech stated. Building on these previous commitments, your government will provide further resources to post-secondary institutions to meet the higher-than-projected student demand. We are keeping our promises on the operating. We've also made a commitment to renovate older buildings, \$297.5 million in just the last three years. And the list goes on.

In Durham, for the member, Centennial College: 4,480 spaces, \$71.54 million, a new building. Durham College we've mentioned: \$47.95 million, 3,009 spaces for the manufacturing and IT centre—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

## HYDRO ONE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Premier. It concerns the future of Hydro One.

In this debate, Premier, I try to imagine that I'm a regular Ontario consumer trying to understand what's going on here. You and I have been around this debate longer than most, and we know the history. It's a very bipartisan history of trouble. The history of this Hydro question is that normally governments, at the behest of Hydro boards, make a quick decision with very little public attention, announce all the good news that's going to happen, and years later we find out that the promise was a lot better than the performance.

So my question is very simple: do you as leader of the current government of Ontario intend soon to bring to this Legislature a specific proposal for the future of Hydro One, a proposal that is going to be subject, in the broad light of legislative day, to full public scrutiny so we can all decide what the specific proposal is and how that proposal might in fact serve the public good, the public interest, and not the myriad of special private interests that are everywhere in this debate?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Recognizing the honourable member as an ordinary consumer, as he puts it, is a bit of a stretch on some days. I don't think ordinary consumers talk nearly as eloquently as the honourable member opposite about this or any other subject.

We do share one common goal and belief, I believe, and that is to ensure that there is a future supply of electricity and electric power in this province, to the benefit of the consumers of the province, at competitive prices for many, many generations to come. I believe we also have to have the necessary funding of capital infra-

structure needs as Hydro One goes forward, in whatever form, to provide that opportunity for the residents of Ontario. And we have to protect the consumers while we're so doing. He can rest assured that any decision the government takes with respect to the future of Hydro One, those will be the main objectives and they'll be taken into account.

**Mr Conway:** If one is just a regular consumer, a regular taxpayer, you've been able to follow this debate largely in the financial press, and it's been raging for months. We understand why. There are tremendous private interests. The bankers have over \$100 million to be made, apparently, if there's an IPO. We all know that. My friend Phillips has just talked about the management pecuniary interests that may be at issue if Hydro One is sold.

This is presumably, first and foremost, about the public interest. What I want to know from you is, are we going to see in this place, soon, a specific proposal that details your government's plan for the future of Hydro One, and are we going to get an opportunity to take that proposal and cross-examine it in a serious and thoughtful way to assure ourselves and the millions of Ontario consumers—taxpayers and ratepayers—that notwithstanding the problems of the past, this future plan for the electricity highway is, first and foremost, going to look after and protect the consumers' interest and the public interest?

**Hon Mr Eves:** I share with the member opposite his concern about protecting consumer and public interest. I would point out, however, that yesterday your leader was more concerned about the international banking community and how it would look to the international banking community if we didn't proceed with an IPO on Hydro One than he was about the consumers. On Monday he was concerned about the consumers, on Wednesday he was concerned about the international banking community, and we don't know whom he's concerned about today.

My answer to the question is that the honourable member can rest assured that (a) there already has been some public consultation through the Minister of Energy and (b) there will be further public consultation through a committee of this Legislature looking at all options with respect to the future of Hydro One. And he can rest assured that the best interests of the consumer and the people of Ontario will be what drive this government in making its decision.

## ORGANIZED CRIME

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Attorney General. Recently, the government followed through on its promise to help victims and make communities safe with the proclamation of Bill 30, a bill meant to provide civil remedies for those victimized by organized crime. I understand the legislation is the first of its kind in Canada. Minister, could you explain to this House how this legislation will help prevent those who

prey on innocent people from profiting from their crimes?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the honourable member for raising this point. I know that this issue and the issue of law and order generally are of great import to him. I thank him for being so diligent and vigilant in his approach to this subject.

Organized crime has a bottom line. In fact, most unlawful activity has a bottom line, and that indeed is to make money. Money is the lifeblood of that activity. I say to you that as of last month, when this bill was proclaimed, Ontario and Ontarians have a new bottom line: that assets seized as a result of illicit activities will be returned to the victims.

This bill—and the member is quite right; it's the first of its kind in Canada—will enable us to do just that. It will enable us to go to a court to get authorization to return money to victims in a timely fashion.

I'm very proud of this legislation, and the honourable member deserves a great deal of credit for bringing this forward initially and again today.

**Mr Johnson:** Minister, I think it's important and timely that we direct more attention to cracking down on organized crime. My concern is, what range of activities will this bill cover? It's vital that it deal with many of the newer methods used by criminals to prey on their victims.

In my riding, for instance, in the K-W area there has been a proliferation of homegrown marijuana operations, often in a new house rented in a new subdivision.

I'm also interested in how the victims will be able to reclaim some of the money that's been stolen from them through these illegal acts. Could you please give me further detail on that?

**Hon Mr Young:** He raises two excellent points. Let me start by the method that exists under this bill to allow for proceeds to be returned to victims. Indeed, it is a relatively simple activity that will allow for victims to apply to a designated fund and have money returned to them. Wherever possible, we will return the money directly to the victim who is affected. In some instances where victims cannot be located, it will be returned to other organizations and community groups that work to assist victims at various stages of court proceedings and prior to their involvement with the law.

The issue of homes that are utilized to grow illicit drugs is an issue I raised with the current Minister of Justice in Ottawa. I asked that there be some action taken, because this not only disrupts individuals but disrupts communities generally. I am hoping we will hear from the federal minister and see some corresponding changes to the Criminal Code in the not-too-distant future.

1500

#### MINIMUM WAGE

**Mr Peter Kormos (Niagara Centre):** I have a question to the Premier. The minimum wage in this

province has been frozen by you for the last seven years. It has been stagnant since the NDP raised it to \$6.85 an hour in January 1995. Since then, the cost of living in Ontario has increased by 15.8%.

Your freezing of the minimum wage has meant that hundreds of thousands of our lowest-paid workers and their families have sunk deeper and deeper into poverty. Your freezing of the minimum wage has constituted an outright assault on the most vulnerable workers in this province. When will you end that attack on those workers, and when will you raise the minimum wage in Ontario?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, the province of Ontario was interested in keeping the province competitive with other jurisdictions. As the honourable member will know, I think the best security you can give somebody is the opportunity of a job, and over 882,000 net jobs have been created in this province since September 1995. In addition to that, there are some 735,000 low-income Ontarians who are off the tax rolls entirely, as the result of initiatives this government has taken. I do appreciate the points he makes. However, we have had a very thoughtful process, I believe, in improving the lot of more-modest-income Ontarians as we go forward.

**Mr Kormos:** Premier, during the course of the last seven years you had no qualms about raising tuitions, and you had no qualms about raising user fees across this province. You have done nothing with respect to affordable housing or ever-growing rents. You've given the wealthiest in this province bigger and bigger tax cuts, not to mention giving yourselves and your Bay Street friends like Eleanor Clitheroe huge bonuses and wage increases. You thought nothing of approving a huge salary increase for MPPs, but not a penny for the lowest-wage workers in this province. You've imposed a new-found poverty on hundreds of thousands of those minimum wage workers and their families.

Why don't you simply stand up and say, "Now is the time to do it"? It's long overdue. You've raised MPPs salaries, you've increased tax cuts for your wealthy friends. Now is the time to increase the minimum wage for those hundreds of thousands of workers, most of whom, as you well know, are women, many of them single parents raising their kids.

**Hon Mr Eves:** The honourable member in his initial question, I think, certainly exuded some sincerity and some concern about more-modest-income Ontarians. His grandstanding and his use of certain language in his supplementary don't help the situation.

If you want to get political about this, your government—Bob Rae's government—raised tuition far more than this government has. It never had the decency to put a cap of 2% a year on student tuition. It didn't have the decency to take 735,000 people off the tax rolls completely through the Ontario tax reduction program, which this government has done. You talk a great game, but you didn't deliver when you were there for five years.



## PRIMARY CARE REFORM

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Today I note that after seven years your government is finally getting around to some very small baby steps in primary care reform. But I need to remind the Minister of Health that there are literally hundreds of thousands of people in Ontario today with no family doctor. The Ontario Medical Association puts that number around 900,000.

Your own ministry staff informed me even last year that there are some 1,500 foreign-trained physicians here in Ontario, perfectly prepared to start to work tomorrow in a system that badly needs them. But you won't let them. You've put out roadblocks at every turn. Your announcement last June, which you made with great fanfare, has done virtually nothing to make the situation easier. In fact, you're offering only 50 spaces for these foreign-trained physicians, and that's if they can properly fill out the application.

Minister, your mismanagement is apparent. What are you intending to do for the some 900,000 people without a family doctor?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Indeed, today was a great day for primary care reform in the province of Ontario, with the opening of the first non-pilot family health network in Oakville. We are pleased to see that happen, and of course it's a harbinger for greater news to come in this area.

I would tell the honourable member that this government is proceeding with the strategy first employed by the Mike Harris government to increase the recruitment and retention of physicians, both foreign-trained and domestically trained. We have increased medical school enrolment by 30%. We've increased the number of foreign-trained doctors who are accepted and certified in each and every year from 36 to 90. That includes a program to get 40 new foreign-trained physicians to underserved and rural areas as quickly as possible. We are moving with great rapidity in this area, because we know that the need is there and we're intending to meet that need.

**Mrs Pupatello:** The minister fails to realize that the attrition rate of physicians is not going to keep up with what you are putting into the system in education for physicians. Your own ministry staff told me—last year, yet—you have some 1,500 foreign-trained physicians. Those are just the physicians who are trained at schools that we recognize to be equal to or better than our own medical schools and these are the doctors who could begin tomorrow.

You announced an application form. I brought your executive assistant into a roomful of individuals who are foreign-trained physicians who told you what was wrong with the application.

Seven years after your government took over, almost a million people in Ontario are without a family physician, something that you could fix tomorrow, yet all we see are baby steps, hurtling in a direction that we know not

where you are going. There are 1,500 foreign-trained physicians here in Ontario today. I ask this Minister of Health again, what are you prepared to do immediately to get these foreign-trained physicians who can work in Ontario to work for Ontario families?

**Hon Mr Clement:** Incidentally, I neglected to mention that earlier this week Premier Eves was able to announce an equal campus for Thunder Bay when it came to the northern medical school—another step in the right direction when it comes to training our medical professionals when and where they're needed.

The honourable member knows full well that this government is absolutely committed to opening up the medical system to train medical professionals, including foreign medical professionals. The honourable member should know, if she was listening to the throne speech of Premier Eves, that we are moving ahead and we are committed to moving even further ahead with greater rapidity than even the previous government.

We are committed to this area. We are showing improvement in this area. We are actually putting into place the improvements in this area. We are going beyond more words and we are moving into action. That is what the people of Ontario want and desire and that's the demand that we are meeting.

## FEDERAL AIRPORT SECURITY FEES

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Tourism and Recreation and it relates to what turns out to be a very bad April Fool's joke wreaked on the people of Ontario and Canada by the federal government.

On April 1, the federal government imposed a new air traveller security charge on people travelling by air and that was to cover security costs resulting from September 11. This new tax has turned out to be an unbelievable burden to people travelling domestically. Let me give you an example. This means that someone travelling round-trip from Kenora to Toronto who has to change airlines in Sudbury pays this tax four times, because the person is charged for each leg of the trip.

Minister, I've received complaints from individuals who are being subjected to these costs; I've received complaints from people in the travel business; and no doubt it negatively affects tourists travelling in our province. What are you doing to address this issue on behalf of travellers and the travel business in Ontario?

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I want to thank the member for Oak Ridges for his question. The government is very concerned about how this new federal Liberal security tax on air travellers will affect domestic travel within our province and international tourist travel from outside the province. This is particularly unfair to northerners in our province, who pay twice as much as the average person in southern Ontario. That's why our ministry has commissioned a study to look at the negative impacts that this new tax is going to have on travel and tourism in our province. In

fact, the Canadian Tourism Commission agreed to pay half the cost of this until the federal minister interceded and said, "You can't use public money to examine something that might be critical of the federal government." Frankly, I thought we did that all the time in Ontario, but apparently they won't tolerate it at all in Ottawa.

My point is simply this: this new tax will raise more money than is required to do what it says it will do: provide security. That's why our province has added \$10 million—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary?

1510

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The standing orders dictate that questions relate to the policies and laws of this House and of the province of Ontario. The question as originally placed did not deal with a policy of the province of Ontario or a ministry and did not deal with an item of taxation dealing with this House. I would submit that you must find out of order any supplementary related to that question.

**The Speaker:** I listened very carefully, and if you word it carefully, which they do sometimes—he asked specifically what the government is doing in response to it. If you word it like that, it will be found in order. But I say very clearly to members that you can word it properly, or sometimes you can word it improperly, when it's definitely out of order. This member did do it properly.

Having said that, we walk a very fine line. What he did was ask what the response will be from that minister to a problem, and that's quite within the purview of the minister.

Supplementary, the member for Oak Ridges.

**Mr Klees:** Minister, I understand you will be meeting with provincial tourism ministers from across the country as well as federal ministers this coming weekend in Halifax. Will you give this House your undertaking that you will raise this specific concern with your colleagues? More importantly, will you raise this issue that affects Ontario consumers with the federal ministers responsible for this unfair tax that is affecting the people of Ontario and tourists who travel here?

**Hon Mr Jackson:** In fact, this is the third year in a row. I was in Calgary with the other Ministers of Economic Development and Tourism three years ago. At that point the federal government refused to come and speak with the ministers. Last year, when we in Ontario hosted this conference right here in Toronto, the federal government refused to participate, and this weekend Allan Rock refuses to attend the meeting to discuss these important issues about the travel rights of Canadians in this country.

After three years, we've been able to convince Robert Milton of Air Canada to finally come and meet with us, after all these years, to discuss the competitive issues of route abandonment across this province and across Canada on an international airline review, so that more airlines offering lower cost rates can bring more tourists

to Ontario. We will raise these issues with the federal government. They've done nothing but raise the tax to help tourism in Ontario.

## GASOLINE PRICES

**Mr Bruce Crozier (Essex):** I have a question for the Premier. I see his books are still here, but I don't see the Premier.

**The Speaker (Hon Gary Carr):** For clarification, the government House leader.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I did notify the opposition parties earlier, before question period, that he would be gone at 3.

**The Speaker:** Maybe direct it to the Deputy Premier.

**Mr Crozier:** Actually it's a consumer question, and so that's the route I had to go.

Deputy Premier, your government's Ontario Gas Prices Review Task Force report, Fairness at the Pump, tabled almost two years ago, contained a number of recommendations for provincial action to ensure fair gas prices for consumers. Let me remind you of the recommendations. They were made to the Minister of Consumer and Business Services and in turn to your government, so it's a recommendation by your government to your government that the government of Ontario undertake a review of current tax collection legislation and remove unnecessary financial barriers; that the Ontario government expand its price monitoring of retail gasoline prices during peak driving season; and that the Ontario government consider whether a statutory requirement that gasoline retailers provide advance notification of price changes should be put into effect.

Deputy Premier, what evidence can you provide to this legislature, and more importantly to the consumers of Ontario, that you have in fact done this?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I appreciate the question. I think we can all understand that the escalating price of gas has certainly been an issue of concern. If you remember, we set up our own task force of gas-busters, who have gone out. I will certainly take the question you have asked under advisement, and I will provide you with a response.

**Mr Crozier:** Since it's obvious that either you don't know the answer or you've done nothing, I'll give you something else you can take under advisement as well. Victoria Day weekend is approaching, as we all know, and it's common knowledge that gas prices traditionally are on the rise during a period like that. Ontarians are concerned about that very matter as we sit here today. This is your opportunity to give them some assurance, although I guess it won't be done before this weekend.

In addition to the previous recommendations I mentioned, the report also recommended that vertically integrated oil companies voluntarily produce segmented earnings reports—I don't think you've asked them to do that—and that gasoline retailers voluntarily initiate a



policy of ownership transparency or the Ontario government should require this measure by statute or the government of Ontario should require businesses to post their prices prior to raising them. I see no evidence of any of these. I see no real protection from a report that was tabled two years ago.

Now today, prior to the Victoria Day weekend, when gasoline prices may be on the rise, we can't even get an answer from the government. Will you take that back to the minister as well?

**Hon Mrs Witmer:** I certainly will. I think we have to put this into some context. We all know that political uncertainty in the Middle East has continued to drive up the price of oil. Your federal cousins would certainly agree that has happened. But let me tell you what we have committed to do in Ontario. We have committed to reduce the cost of driving by phasing out the retail sales tax on motor vehicle insurance premiums, vehicle repairs and placements. On the other hand, the federal government has benefited from high gasoline taxes through increased GST revenues. So, presently, for every cent-per-litre increase in the price of gasoline, the federal government is collecting an additional \$9 million in tax revenues. In contrast—and I think this is what's important—while the federal government is getting more money, Ontario gasoline taxes have not been increased under this government. The federal government should take a hint and do likewise.

### BORDER SECURITY

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Citizenship and minister responsible for seniors. The Globe and Mail today reported that the United States is considering changing the length of time allowed for visitor stays to 30 days from the current six months. This will affect up to 100,000 Canadian snowbirds, many of whom reside in this province.

Minister, would you please comment on what steps Ontario is taking to ensure that Ontario snowbirds enjoy the freedom of movement they have always enjoyed with our good neighbours to the south.

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I'd like to thank my colleague for this question, a question so important today to Ontario snowbirds that I'm surprised my colleagues on the other side didn't think of asking a question on that issue.

First, I'd like to point out to my friend that this is a matter of federal jurisdiction. However, my office has already been in touch with the Canadian Snowbird Association and will be taking action to ensure that our federal Liberal partners are aware of the impact this may have in Ontario and on Ontario seniors. We will continue to strongly urge the federal government to obtain written assurances from the US government that these restrictions will not impact adversely on the citizens of Ontario.

**Mr Miller:** Thank you for that answer, Minister. As you know, there is a lot of planning needed to spend part of the year in another country. There are accommodation needs to be met, there are many health concerns to be addressed, bills need to be paid and commitments need to be made. Seniors are concerned that they may arrive at the border with suitcases and pets in hand only to be told they will be limited to a 30-day stay or even turned back completely. According to media reports, US cross-border security staff may decide whether an Ontario senior meets the criteria for a longer-than-30-day stay.

Minister, how can seniors be assured, after they have done all this important planning, that they will not be turned back at the border?

1520

**Hon Mr DeFaria:** I appreciate the concerns my colleague is raising on this very important issue today. I want to assure the member that while this is a federal immigration matter, Ontario is firmly committed to raising these issues with our federal counterparts. A meeting was held this morning between Deputy Prime Minister John Manley and Tom Ridge, the American homeland security director, and the indications are that verbal assurances have been made to resolve this issue on a permanent basis.

I will be meeting this afternoon with Minister Coderre, the federal Minister of Citizenship and Immigration, and I will speak with him directly about this issue and will reinforce our concerns on behalf of Ontario snowbirds. This is a major issue: the ability of Ontarians and Ontario seniors to obtain visa entry and freedom of movement within a country with which we have such a close relationship.

### EDUCATION ISSUES

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Education. Minister, I want to know when you're going to start listening to students and parents and repair the massive damage your government has done to our classrooms. Thousands of students walked out of their classes yesterday to protest your government's mismanagement. They want answers, and they want action. Students and parents are frightened and frustrated, and they're beginning to get angry. I told the students I spoke to at Korah Collegiate in my riding that if they went back to class, I would raise their issues with you.

Minister, when will you put the needs of students ahead of tax breaks for the wealthy?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I certainly share your concern for the students. In fact, I think if you take a look at the initiatives that our government has introduced in the last few years, our desire has always been to ensure that the needs of students are met. That was why we introduced the funding formula, that's why we are reviewing the funding formula, that's why we have introduced the new curriculum and that's why recently we announced \$65

million for new textbooks and also new initiatives in literacy and math.

I can tell you we will continue to always do what is in the best interests of the student.

**Mr Martin:** One of the issues the students were protesting yesterday was the education curriculum rushed through by your government. This curriculum is riddled with problems. It gets an F from everyone, but your government has refused to make any changes.

School boards are telling us that the number of students trying to drop out before the age of 16 has increased dramatically. Parents are telling us that their children in the double cohort year are being placed at a disadvantage for coveted university spots. Professors at the University of Toronto say your new curriculum is producing students who are not prepared for university science.

Minister, your curriculum is failing. Will you commit to an immediate review of that curriculum?

**Hon Mrs Witmer:** There were a lot of points made in that question. Let me take a look at the whole issue of the curriculum.

The curriculum has been very, very well supported by people in the education field. I want to quote, for example, Phyllis Benedict, who is the president of ETFO, who said, "The curriculum itself is excellent. It has all of the preciseness and grade expectations that are worthwhile for teachers. They know where the child has to get to during the school year."

I also want to quote Dalton McGuinty: "I want regular standards and I like this idea of a core curriculum, a good, solid core curriculum, and I like the new report cards. I like the standardized testing so I can compare."

I simply say to the member opposite, I can appreciate the concerns of the students, the concerns of the parents. I can tell you that we are continuing to respond to those concerns—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

#### ASSISTANCE TO FARMERS

**Mr Steve Peters (Elgin-Middlesex-London):** I'm sure everybody saw in the news today the disastrous situation facing the agricultural community, not only in this province but across this country. My question is for the Deputy Premier.

We've heard for over a year now talk about a made-in-Ontario safety net program. Deputy Premier, could you please inform this House today where this much-awaited, long-anticipated made-in-Ontario safety net program is?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to refer that to the Minister of Agriculture.

**Hon Helen Johns (Minister of Agriculture and Food):** As the member opposite knows, the Ministry of Agriculture and Food and the farmers of Ontario came together and developed a made-in-Ontario program. That made-in-Ontario program consisted of a financial contri-

bution from the farmers of Ontario, the Ontario government and the federal government. My colleague before me, Mr Coburn, took that made-in-Ontario solution to the federal government.

Last week, I once more handed the made-in-Ontario solution proposal to the federal Minister of Agriculture. He has promised to work with Ontario to try to come up with a compensation package that has a strong investment for the agricultural community in Ontario. I believe that if we work co-operatively with the federal government, we should be able to do the right thing for the agricultural community in Ontario.

**Mr Peters:** That will be a first, to see this government work co-operatively.

Let's hear some of the facts since this government has taken office. We're down 8,000 farms; 8,000 fewer farms since this government has taken office, a 2.7% decrease in the acreage in this province. Expenses outstripped farm income at an alarming rate. The prices for farm goods have risen only 1.8%, yet input costs have risen by 8.7%.

We've heard lots about the made-in-Ontario safety net program. We heard no mention of the made-in-Ontario safety net program in the throne speech. You talk about the feds. In 1998, the province acted unilaterally. You're going to stand up and you're going to tell us what you did for the farmers in 2000. You haven't done anything for the farmers for the crop year of 2001. When are you going to stand up and recognize the desperate situation that the agricultural community is facing in this province? Don't stand here and blame the federal government. Stand up and tell us what this government is going to do.

You don't have the guts to do it. You have the money to do it. Why don't you stand up and put your money where it's much needed: in the hands of the farmers of this province? When, when, when are we going to hear something from this government in support of the agricultural community?

**The Speaker (Hon Gary Carr):** The member's time is up. Minister.

**Hon Mrs Johns:** I am completely surprised by the tone and the question.

What happened last year in the province of Ontario was that the provincial government gave more than their fair share to ensure that the agricultural community had a strong investment in it, \$20 million more, and what happened? The federal government did nothing about it. The Liberal federal government did nothing about it. So now he wants me to put more money forward again so the federal Liberal government will do nothing about it a second year in a row. What he wants me to do is to have the same thing happen that's happening in health, where the federal government won't put up their fair share. What's going to happen is that the agricultural community of Ontario is going to be ripped off. No way. I'm here to protect the agricultural community. They're going to invest, and we're going to invest.



**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I have a brief point of order to be helpful to the House. For the member for Parry Sound-Muskoka, the problem was solved three hours before the question was asked. I just wanted to help him out on that.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** If that was the criterion for question period, there wouldn't be a question period.

1530

## BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

Tuesday afternoon will be an opposition day. As I understand it, the Liberals won the race.

Wednesday afternoon's business is still to be determined.

On Thursday morning, during private members' business, we will discuss ballot item 43, standing in the name of Mr Ramsay, and ballot item 44, standing in the name of Mr Christopherson.

Thursday afternoon's business is still to be determined.

## PETITIONS

### LONG-TERM-CARE FACILITIES

**Mr James J. Bradley (St Catharines):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas there are over 525 long-term-care facilities across the province of Ontario housing over 60,000 Ontarians;

"Whereas over 60% of individuals living in long-term-care facilities suffer from dementia, 90% need assistance to eat and get dressed, and 56% have circulatory disease;

"Whereas government funding of long-term-care facilities by the government of Ontario has failed to keep pace with the growing needs of individuals in long-term-care facilities;

"Whereas government funding currently allows for only four minutes per day of assistance in washing and dressing long-term-care facility residents;

"Whereas government funding currently allows for only 10 minutes of assistance with eating per day and 15 minutes of programming per week;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide additional funding to Ontario's 525 long-term-care facilities to ensure adequate staffing and service for long-term-care facility residents and appropriate levels of care such that

Ontario's thousands of long-term-care users can enjoy their later years in comfort and contentment."

I affix my signature as I am in complete agreement with this petition.

### HYDRO ONE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature to this petition.

**Mr Mario Sergio (York West):** I have a further petition addressed to the Legislative Assembly of Ontario.

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I concur with the petition and I will affix my name to it.

**The Deputy Speaker (Mr David Christopherson):** The member for York South—sorry, my apologies. The member for Parkdale-High Park. It takes a while to get back into the swing of it.

**Mr Gerard Kennedy (Parkdale-High Park):** Thank you, Mr Speaker. The people of Parkdale-High Park appreciate it. They have given me a petition to the Ontario Legislature.

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that

carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I am in agreement with this petition and will affix my signature to it.

#### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserved area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

Because I agree with this petition, I'm very happy to affix my signature to this petition.

#### AUTOMOTIVE INDUSTRY

**Mr James J. Bradley (St Catharines):** My petition is to the Legislative Assembly of Ontario and reads as follows:

"Whereas the auto industry accounts for approximately 50% of Ontario exports to the United States, supports another three or more jobs elsewhere in the economy and contributes billions of dollars in tax revenues to governments; and

"Whereas the auto industry is the economic lifeblood of communities, such as St Catharines, Oshawa, St Thomas, Alliston, Windsor, Oakville, Cambridge, Kitchener and Waterloo; and

"Whereas the auto industry has experienced job losses and seen challenges due to competition from industries in

Mexico, the recent recession in the United States and delivery problems at Ontario's borders; and

"Whereas the prosperity of the province of Ontario is dependent in large part on an auto industry that is competitive and dynamic; and

"Whereas select committees of the Legislature tend to be task-oriented and non-partisan in their deliberations;

"Be it resolved that the Ernie Eves government convene a select committee on the auto industry that consults with labour, business and the public in a timely fashion to address the challenges and opportunities that the engine of Ontario's economy will be facing in the future."

I've already advocated this myself. I affix my signature and I'm in agreement with those who have signed this petition.

#### AMBULANCE SERVICES

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario:

"Whereas the Ontario Conservative government hastily amalgamated Niagara's ambulance dispatch services into the Hamilton Central Ambulance Communication Centre;

"Whereas an independent review of Hamilton Central Ambulance Communication Centre found several major shortcomings, including inexperienced dispatchers, high call volume and out-of-date equipment, hindering the dispatch of ambulances in Niagara and in other parts of the province;

"Whereas poor training of central ambulance communication centre dispatchers by the Ministry of Health and Long-Term Care has led to improper emergency coding, resource misallocation and waste and increased wait times for those requiring ambulance services;

"Whereas the Central Ambulance Communication Centre dispatchers are handling 1,300 more calls a year than recommended by the Ministry of Health and Long-Term Care;

"Whereas these shortcomings in ambulance service restructuring are putting lives at risk in Niagara, Hamilton and throughout the province;

"Whereas the Ministry of Health and Long-Term Care has been in possession of the independent review since October 31, 2001, which provides recommendations to greatly improve ambulance dispatch services in Niagara and Hamilton;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately act upon recommendations presented in the independent review of the Central Ambulance Communication Centre and eliminate the grievous imperfections which are placing our citizens at risk."

I affix my signature as I'm in complete agreement with that petition.



1540

## HYDRO ONE

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I also affix my signature.

## SCHOOL CLOSURES

**Mr Mario Sergio (York West):** I have a further petition addressed to the Legislative Assembly of Ontario.

"Whereas due to the government's unfair methods for education funding, the Toronto Catholic District School Board intends to close St Gaspar Catholic School effective June 30, 2002; and

"Whereas the Toronto Catholic District School Board hastily developed a process for accountability framework for pupil accommodation with inadequate time for parents and other stakeholders to prepare possible alternatives for due consideration; and

"Whereas despite the opportunity to do so, there has been no indication that the Toronto Catholic District School Board sought an extension of the Ministry of Education deadline on the accommodation planning while other boards in the province have done so;

"Now, therefore, we, the undersigned citizens of Ontario, petition the Legislature of Ontario as follows:

"We call upon the Minister of Education, who has the primary responsibility for providing quality education for each and every student in Ontario to:

"(1) Listen to the views being expressed by the parents, community and other stakeholders who are concerned with the undue haste of the decision to close St Gaspar plus nine other schools by the board;

"(2) Grant the Toronto Catholic District School Board a one-year extension of the deadline for school closings;

"(3) Demand that the Toronto Catholic District School Board establish a credible and reasonable process for school accommodation reviews that adequately addresses the needs of parents, the community and, most of all, the children who represent the future of our province."

I strongly support the petition and its intent, and I will affix my signature.

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mr Tony Martin (Sault Ste Marie):** I seem to be duelling with the member for St Catharines today; sorry. Anyway, a petition to the Legislative Assembly.

"Whereas the Ontario disability support program is an important source of income for disabled people who cannot work due to a disability; and

"Whereas there has not been an increase to the amount eligible recipients can receive under the Ontario disability support program since before the current government was first elected to the Legislature; and

"Whereas there have been substantial increases in the cost of housing and other necessary living expenses during the same period of time; and

"Whereas the maximum monthly allowance available for a single disabled person at \$930 is wholly inadequate to meet monthly basic needs; and

"Whereas the Honourable Tony Martin"—that's me—"introduced Bill 118, An Act to amend the Ontario Disability Support Program Act, 1997, to require annual cost-of-living adjustments to income support payments on October 24, 2001, which would have the effect, if passed, of increasing the rates under the Ontario disability support program annually on April 1 to keep pace with increases in the cost of living;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That it support Bill 118, or similar legislation, through second and third reading; and

"(2) That it resolve to increase the allowances payable under the Ontario Disability Support Program Act, 1997, to reflect the actual costs of living in the province of Ontario."

I add my signature to this petition.

## HYDRO ONE

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal;

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature. I find myself in complete agreement with the sentiments that those who have signed this petition have expressed.

## NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr Tony Martin (Sault Ste Marie):** I have another petition here regarding a relatively similar issue.

"Stop the clawback. Give the children back their money.

"Whereas one in five children in Ontario live in poverty; and

"Whereas, as part of the national child tax benefit program, the federal government gives a supplement to low-income families across the country to begin to address child poverty; and

"Whereas that money, up to approximately \$100 a month per child, is meant to give our poorest and most vulnerable children a better chance in life; and

"Whereas in Ontario the Conservative government claws back the child benefit supplement, dollar for dollar, from those living on social assistance; and

"Whereas this is leaving our province's neediest children without the extra money they desperately need to begin to climb out of poverty; and

"Whereas all children are entitled to a fair chance at life;

"Therefore, be it resolved that we, the undersigned, call on the provincial government of Ontario to stop the clawback of the national child tax benefit supplement and ensure this federal money reaches all low-income families in Ontario."

I sign my name to this as well.

## ORDERS OF THE DAY

### THRONE SPEECH DEBATE

#### DÉBAT SUR LE DISCOURS DU TRÔNE

Resuming the debate adjourned on May 15, 2002, on the amendment to the amendment to the motion for an address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session.

**Mr Bart Maves (Niagara Falls):** Mr Speaker, I believe we have all-party agreement to allow me to finish off the final seven minutes of the member from London North Centre.

**The Deputy Speaker (Mr David Christopherson):** OK, let's just test the House. Is there unanimous consent to allow the member for Niagara Falls to finish the address? Agreed. The member may take the floor.

**Mr Maves:** Thank you very much, Speaker, for the remaining seven minutes and 55 seconds of the member for London North Centre.

I appreciate the opportunity to speak about the throne speech and stand here today in support of it. Let me start off by congratulating, as many members of the House have already, Premier Ernie Eves for his leadership victory of our party and his ascension as Premier of the province of Ontario and, also, obviously, on his suc-

cessful by-election victory; along with Al McDonald, who, it was confirmed for the third time, won the by-election for former Premier Harris's seat in Nipissing recently. That went from four votes, I believe, to nine and ultimately to 19 votes recently. So congratulations to Mr McDonald too, and we look forward to welcoming him to the Legislature.

In speaking of the throne speech, there were many aspects of the throne speech that caught my eye. One of the very interesting parts of the throne speech came from Premier Eves, who is a former finance minister. I think it's important that he said he wanted to move to three-year base funding formulas for school boards and hospitals. We've already moved down this road with colleges and universities.

Many people will wonder about this, but the situation is such that many of our transfer partners like school boards, colleges, universities and hospitals, the people the province of Ontario funds—what happens is that we traditionally let them know how much money they are going to get very late into their own fiscal year. This has been the practice of Ontario governments for as long as anyone can remember. They have asked for many years for the Ontario government to give some consideration to letting them know on a two-, three- and sometimes maybe even a five-year basis what kind of funding they would be looking at so they would be better able to plan their own financial resources and how best to utilize their resources.

We, as a government, moved that way already with the colleges and universities. We announced that last year.

I know Minister Clement in health has been working with the hospitals and the Ontario Hospital Association for quite some time now to try to come up with a new hospital funding formula, one that would allow us and allow hospitals to know what their funding would be three years out.

A lot of people at home probably say, "That seems like a no-brainer. Why isn't that done already?" Well, the obvious reason is that we don't know our revenues from year to year. We can do estimates. We can do very good and close estimates. Sometimes we do awful estimates—not traditionally this government, but I know previous governments in Canada and in the province have done terrible estimates of their expenditures and revenues in future years. It is very difficult to do, so it's very difficult to be able to say with a great deal of certainty, "This will be our revenue for the next three years," and therefore each hospital, each school board and each college or university is going to get a certain amount of money. At the same time, while it's difficult, we realize that it is difficult for those institutions to not know their funding on a longer-term basis. So the throne speech indicated that we are going to continue to work very hard to include not only colleges and universities in that process but hospitals and other agencies.

1550

Another part of the throne speech that obviously caught my eye was that we reiterated the \$65 million that



the new Premier allotted to textbooks. This is on top of a couple of years ago, when we gave \$100 million over and above what's in annual budget allotments to school boards for textbooks. We gave \$100 million over and above the normal annual amount for textbooks, science materials and other learning materials.

We also announced \$25 million to expand the early reading program and introduce a new early math program across the province to help students with those very important subjects.

The throne speech also indicated that we would ask Dr Mordechai Rozanski, president of the University of Guelph, to review the current funding formula for education. As all members in the Legislature should know and many people across the province of Ontario should know, in 1998 we embarked on a new funding formula. We gave the municipalities of the province school board tax room. We transferred with that some responsibilities for them to look after. We then took on a greater funding role for education in the province. By the way, that was the subject of many reports dating back to post-Second World War that said we need to get K to 12 educational funding off of the property tax, and we've moved in that direction.

However, when we did that, we came up with a funding formula. We spent a lot of time on it. We worked with school board chairs, school board finance people, all kinds of people in the education community, and came up with a province-wide funding formula to make it more of an equitable solution. We had a situation, when it was based on property tax alone, where some areas of the province were getting something like \$8,000 or \$9,000 per student and other areas of the province were only getting \$4,000 a student. We thought that was inherently unfair and we moved, with the new funding formula, to change that. That funding formula has now been in place for three or four years.

People do get used to something new. As school boards have worked with it and the Ministry of Education has used it, we've tinkered with it a little bit over the first few years of its existence, and now Premier Eves has said, "Look, we've heard from rural boards that they have certain problems with it. We've heard from urban boards that they have certain problems with it. It's time to have an independent third party have a look at it and see what other changes we might want to make to that." I think that's good and fair management on behalf of Premier Eves, so I was happy to see that in the throne speech.

A couple of other things that caught my eye include the health field, of course. We talked about some new investment into research, especially for things like prostate cancer and breast cancer, which are striking many people in the province of Ontario and throughout the country; more research to find treatments and cures for those, also addictions.

The throne speech said that since 1995 we've added 31 MRIs across Ontario. We're now up to 43 MRIs. One of the problems is that most of those MRIs work from 9

to 5. The Premier has indicated, through the throne speech, that we're going to try to double the number of hours those MRIs are working across the province. I think that will be welcome news.

There are many other fine things in the throne speech, but time doesn't permit me to get to them all today. I want to thank the member from London North Centre for allowing me her seven minutes and 55 seconds.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr George Smitherman (Toronto Centre-Rosedale):** A little bit later on this afternoon I'm going to have a more thorough opportunity to offer some comment on the government's throne speech. Listening to the member from Niagara, I was interested to hear his use of the word "tinkering" to describe what these guys have done to the system of public education in Ontario. My goodness, if that's tinkering, I'd hate to see what would have been left of this system if they'd really set their minds to doing something to change it. I can tell you that the parents and students in the public education system in my riding of Toronto Centre-Rosedale and, I think, in too many parts of our province are reeling from the devastation, the havoc, that has been brought to bear on our system of public education in Ontario.

Last week, like the very happy ruler over the trampled-upon masses, the Deputy Premier stood and talked about an investment of \$350 million put back into the system of public education. Well, doesn't that really, really pale in comparison to the amount of money they've squeezed out of the system, to the point where the kids in the classrooms and schools in Ontario are dealing with circumstances where there are too few textbooks, where there are too few supplies and where the rooms are dirty.

I had the opportunity during the campaign in North Bay to visit a small school. While I was out canvassing, I was in need of the use of facilities. I checked in with the office and was astonished to find that in that community too they're suffering from exactly the same kinds of challenges as we are here in the city of Toronto; that is, inadequacy of funding and a lack of commitment on the part of this government to a public education system that truly works for the province. Instead, they squeezed all the money out that they could in exchange for \$2.2 billion in corporate tax cuts with which they charge forward bullheadedly.

**Mr Michael Prue (Beaches-East York):** I listened with amazement to that word "tinkering" too. I have to ask you, is it tinkering when the city of Toronto school board is \$135 million in the hole and, even after you give back some money here, probably is \$90 million in the hole and has to close down schools, put kids out on the street, lay off teachers, lay off caretakers and close pools? Is it tinkering when the city of Toronto is starved to the point where they've had to raise taxes for the third year in a row and will probably have to raise them forever, and at the same time see declining services, see garbage on the streets, see poor, see the homeless dying, see all

the things that are happening inside this once great city? Is it tinkering when we see the hospitals filled to overflowing and not enough doctors and nurses? But we tinker on. We change this little thing and change that little thing, and hopefully all the mess we made before will be tinkered somehow better.

Is it tinkering when we look at the CCACs and see that there's no money for our veterans and no money for people who are coming out of hospitals and are forced to look after themselves? Is tinkering what this government is doing when governments in Quebec and British Columbia have signed deals for housing and this government sits there and does absolutely nothing? This government got an F from the Homelessness Network last week, and it's not surprising to see why.

I have to tell you that Mr Maves, the member for Niagara, said it all best. They are tinkering, and as they tinker, things burn.

**Mrs Margaret Marland (Mississauga South):** It's always interesting to hear the rebuttals that come from the official opposition and the third party. In fairness, I understand the role they play, having played that role for 10 years. But I think we have to inject some real facts into those comments. When the Toronto members stand up and talk about the increase in their property taxes, my goodness, my heart bleeds. I just feel totally destroyed with concern for the fact that any member would talk about property taxes in the same sentence as they talk about swimming pools. Really, even with all the free recreational programs the people who live in Toronto are given, they do not pay property taxes that are relative to the value of those properties even with the new Assessment Act in place. You can compare property taxes throughout the GTA any day you want. Even though we have made some progress, when we look at property taxes compared to other communities and areas around the city of Toronto—my constituents have user-pay policies imposed on them by the city of Mississauga, which I support, by the way, whether it's skating, ball games, swimming. They pay for any recreational aspect that's open to them. But in the city of Toronto it's subsidized by the fact that we are bailing out the city of Toronto with more money every year.

**The Deputy Speaker:** Thank you.

**Mrs Marland:** My residents pay to support—

**The Deputy Speaker:** Order. Would the member take her seat.

1600

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I'd like to comment on the point made by the member for Niagara Falls. It's true that the funding formula was created three years ago. But when we look at the whole preparation and also the study that was done, I really believe that the study—before coming down with a final funding formula, we didn't go out in the rural sector. In the rural sector at the present time, this funding formula has created some major financial problems in all rural school boards.

When I look right here in Toronto, the city has a school board that qualifies under the rural funding formula. This is unfair. When I brought that up with the minister, the minister said, "Jean-Marc, it's impossible." She came back to me and said, "Yes, you are right, Jean-Marc. There is one school board right here in Toronto that has qualified for the rural funding formula."

When I look at it, at the present time we have to close schools in the rural sector because of that funding formula. I look at one of my school boards. From one end to the other it is 410 kilometres. When we created that funding formula, we looked at the empty spaces. How can you move a person from, let's say, the Brockville area to the Châte-à-Blondeau area? It's impossible. That's 410 kilometres. We have to move our secretary around to really meet that new funding formula. It's impossible. A school principal has to be the principal of three or four different schools. How can you manage properly? This is what that funding formula has created in the rural sector.

**The Deputy Speaker:** The member for Niagara Falls now has up to two minutes to respond.

**Mr Maves:** I want to thank the member for Glengarry-Prescott-Russell and the member for Mississauga South, who actually listened to my comments. The member for Glengarry-Prescott-Russell pointed out some problems he has uncovered with the funding formula since it was introduced in 1998.

However, the member for Beaches-East York and the member for Toronto Centre-Rosedale didn't listen at all. It's not surprising to me that they didn't listen to my comments. My comment about tinkering was that between now and 1998, when we introduced the funding formula, we have tinkered with that funding formula. They decided to take everything out of context and didn't pay attention to anything I had to say. It doesn't surprise me whatsoever. But, as I said, the member for Glengarry-Prescott-Russell did listen and did comment on my comments about the funding formula. I appreciate that, and I'll make sure we put forward again to the Minister of Education his observations about the funding formula.

As I said, in the throne speech Premier Eves has indicated that after several years of having the funding formula in place—it's a new thing; it's something we developed in 1998 and have implemented for three or four years now in the province of Ontario—it's time to have a look at it and find out where there are problems with it.

There are some other things I would talk about quickly. We are moving forward with family health networks. These are fantastic. I know in my riding eight doctors are involved in one of my family health networks. They have taken on an initial 2,000 patients. So as the family health networks become more prominent within the province, you'll see more and more people without family doctors get family doctors.

We're doubling the number of nurse practitioners. This was something this government introduced. We had 109 initially. They've been well received throughout the



province, and that's why I think we've indicated in the throne speech that we're going to double that number. I think that's a great initiative.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Lalonde:** Mr Speaker, I will be sharing my time with my colleague the member for Windsor West.

Je suis heureux d'avoir la possibilité aujourd'hui de féliciter notre lieutenant-gouverneur, l'honorable James Bartleman, de sa nomination. Je veux également féliciter le nouveau premier ministre, Ernie Eves, et je tiens à le remercier de sa présence aux obsèques du sergent Marc Léger, qui ont eu lieu dans ma circonscription, et plus précisément dans le village de Lancaster le mois dernier. Je leur souhaite du succès dans l'exercice de leurs fonctions.

Mr Speaker, I am pleased to have the opportunity to express my views on the throne speech presented at the opening of the third session of the 37th Parliament. As I reviewed the throne speech, I said, "What a positive-sounding document." But then I said, "Is this the same old message from the same old government, with all kinds of promises but without—yes, without—the necessary funding to keep many of these promises?"

The throne speech states that Ontario today is a different place than it was a few years ago, and it further states that the actions your government has taken over the past seven years have contributed to these changes. I agree. I agree with this statement. Our education system is in complete chaos, our hospitals are underfunded, our home care system does not have the necessary funding to take care of our sick and aging population and our Ontario farmers do not have a safety net program in place to make them competitive with other provinces and the United States.

On several occasions, I have addressed the issue of the funding formula for our rural schools with the previous Minister of Education. Although in the throne speech your government acknowledges that the funding formula is inadequate, there is no commitment to immediately proceed with changes. I ask, why is it necessary to wait another six months when the rural schools have been underfunded for several years and many studies have already been completed? I would like to see this government act immediately. There is the real possibility that 12 schools in my riding will be forced to close this year, as there is not enough money to keep them open. When we lose a school in a small rural community, the community also loses its future. When youth move to an urban area for their education, they never return. We are losing the spirit and heart of these rural communities. Schools are the central focus of rural communities and a place where our youth organizations, as well as seniors' groups, gather.

Recently, the Minister of Education announced an additional \$65 million for textbooks and learning resources. So I ask the minister to ensure that the necessary funding is allotted to our francophone schools, as many of these schools do not have the necessary textbooks

either for their teachers to teach their classes or for students for reference and homework.

Récemment, j'entretenais des discussions avec un éditeur canadien important de manuels en anglais qui m'a dit qu'il était trop coûteux de traduire le contenu de plusieurs cours. Plusieurs de nos étudiants francophones sont donc désavantagés. Je demande à la ministre de l'Éducation de mettre tout le monde sur le même pied d'égalité et de ne pas laisser tomber les étudiants francophones.

Monsieur le Président, j'aimerais prendre quelques instants pour parler de notre réseau de soins de santé, la question la plus importante aux yeux de tous les Ontariens et Ontariennes. Durant la campagne de l'élection partielle, le ministre de la Santé et le nouveau premier ministre ont parcouru la province et ont fait beaucoup d'annonces concernant nos hôpitaux et le financement à venir.

1610

During the latest by-election, hospital announcements were hot. I hope these announcements were not made only to grab media attention or to attract votes during the past election. I ask, will the money really filter down to our underfunded hospitals? I remember just last year in Ottawa when this government made a big announcement concerning new MRI equipment at Ottawa General Hospital. This MRI equipment, which had been fully paid for by fundraising within the community, had been in storage—yes, in storage—for about a year because there was no money provided by this government to hire qualified medical and technical staff to operate this equipment. Mr Speaker, did you know that you could get an MRI for your cat or dog faster than you could get it for someone who desperately needs it? Or, if you are able to pay for or support two-tier health care, you can always go to another province or to the States.

Comme je l'ai dit précédemment, je suis très inquiet des réductions dans les soins de santé à domicile. Nos régions rurales ont énormément besoin de fonds supplémentaires pour financer les services aux malades et aux personnes âgées. Ce n'est pas comme dans les régions urbaines, où les soins de santé sont à proximité et où les transports en commun sont disponibles. Nos personnes âgées sont fières. Elles veulent demeurer chez elles et dans la région qu'elles connaissent. En fait, elles économisent de l'argent au gouvernement en demeurant à leur domicile. Il faut quand même qu'elles aient accès à des services à domicile quand le besoin s'en fait sentir. Elles méritent bien cela.

I would also like to tell you what this government has done to the radiology clinics in our riding. A few years ago, our clinics were taken over by an Alberta company called Diagnosticare, which later decided to close many of them, leaving our constituents and doctors without X-ray services. Recently, this government bailed out the Alberta-based Diagnosticare company to the tune of \$9 million. Instead of reinvesting this money to upgrade the equipment as they were supposed to, they left with the money and left our community high and dry. I would like

this government to investigate this situation and reinvest the necessary funding into our radiology clinics so that rural Ontarians are not treated as second-class citizens. I quote from the throne speech: "All Ontarians, no matter where they live, must have health care close to home."

As agriculture is an important industry in my riding, I would have liked to see a commitment to our farmers, but all I see is a commitment to another round-table discussion. The time for discussion is over; the time for action is now. We must have a safety net program in place immediately. The Liberal Party and our leader, Dalton McGuinty, have been listening to our agricultural leaders, and when elected we will act to protect this industry and our family farms.

I would also like to know what approach this government plans to take when they say municipalities will be allowed to offer opportunity bonds, tax-free, to investors. God knows municipalities need the money. With all the downloading your government has done under the present SuperBuild program, this government has made it so difficult for municipalities to qualify for the infrastructure funding project that many of them have given up.

**The Deputy Speaker:** Thank you. The member for Windsor West for the balance of the time.

**Mrs Sandra Pupatello (Windsor West):** I'm very happy to speak in response to the throne speech and speak especially to the residents of Windsor West, who I hope will realize that I will be back in this House again fighting for issues that matter to the people of Windsor West, and in particular matters of health, because once again, for the seven years that we've now been in this House under a Conservative government, health care in Windsor continues to suffer.

When the House is not in session and we're at home in our ridings, I still meet regularly with people who cannot access health services in my community. In particular, we have a severe doctor shortage. Remember that Windsor was the first southern urban centre to be designated an underserved area. Here we are again with doctors leaving on a regular basis, to the point where when we learn of another doctor, another specialist who is leaving our area, it hardly raises an eyebrow. That's how regular an occurrence it is.

Here we are today asking the Minister of Health questions about foreign-trained physicians. A couple of weeks back we brought the executive assistant of the Minister of Health to my riding to a roomful of foreign-trained physicians, people who practised in their own countries before they came here, who were excited last year when this government brought forward with great fanfare a new application process to try to get them in the system. When we looked at the application process what we found were the same hurdles that existed in the last application process. This executive assistant sat there with me and listened to the stories of how ridiculous it was, the questions we were asking these people.

Back in 1993, when the NDP government actually cut spaces available for medical students, some students who would have gotten in in 1993 and should be practising

today and would have come to Windsor went off to another country and got their training, got their medical degree. They are being asked in this application form to submit themselves to an English test—people who were born and bred in Windsor and Essex county. This is the kind of thing we still have on this application form that has not been rectified. The executive assistant had to agree that people need to understand that the actual application of this process is ridiculous and it needs to improve.

The ministry's own figure is that 1,500 family practitioners who were trained elsewhere could be practising in Ontario today because they were schooled in places that we here in Canada consider to be of high standard, equal to or above our own, and these people still are not practising in Ontario.

When I realize that the primary, first step into the health system is through the family doctor and that it's incumbent on this government to solve this problem and seven years later we're still at an impasse, it's very difficult to have sat through the throne speech and see that we really are no further ahead today than we were seven years ago when I first entered this chamber.

Last week was nurses' week and off I went to Hotel-Dieu Grace. Just before that, the Minister of Health had been in my riding and delivered a big cheque of capital money, a big cheque to wild applause, money that was designated four years ago, because that's how long it took to kick-start that funding. In the meantime our Windsor hospitals, which are desperately trying to restructure, which offered restructuring before it was forced on them in this Health Services Restructuring Commission, have struggled with additional financing costs because they have had to go to banks requesting money that was supposed to have come from the government. So four years later our Minister of Health arrives with the cheque for capital money, and that sum might be in the order of \$40 million. That's not a surprise. In fact, most of Ontario is finding a wild underestimating of capital money required to do the restructuring necessary in their communities.

What we have in Windsor is a total of \$35.5 million of operating deficits. I and many in my family, my friends, would just as soon go to a barn if that barn were equipped with the staff and personnel and medical equipment necessary to give us the care that we need. I ask this government, as it has gone traipsing across Ontario lately with cheques that were due some four and five years ago and only now they're distributing, what about operating funds for these facilities? What good is it to bring in the MRI if the government doesn't have the money to give the hospital to actually operate it in a timely fashion, to get people to access good diagnostic treatment so that they can start that intervention immediately?

I asked these nurses when I saw them only a couple of weeks ago about their working conditions, and have things improved? After they finished chuckling, they told me story after story of what they experience on a day-to-day basis.



I've got to caution this government. I must caution them on a Michigan law that will have significant impact on my community and every other border community, and that's just in the beginning.

1620

We all know that Ontario nurses are probably the most highly trained in the world. The Michiganders know this as well and so they have a bill, which is House Bill 4994. The rationale for this bill in Michigan is to address severe shortages of health care professionals that they're facing in Michigan. This bill will affect all health professionals in Ontario because what they're choosing to do in Michigan is—I'll give you the rationale: "There have been and continue to be reported shortages of health care professionals, particularly in certain disciplines in certain parts of this state. To satisfy this need, many people believe that Michigan should recruit Canadian health professionals, since Canada's training requirements are said to be comparable to those of this state."

What this bill, which has been passed and is now hurtling toward implementation in Michigan, will do is eliminate all of those hurdles—the bar exams, all of that red tape—to allow our Ontario nurses and other health professionals to practise in Michigan.

Essentially, their bill goes on, in their supporting argument, to suggest, "Canadian-trained medical professionals are highly qualified, and Canadian licensing requirements are sufficiently stringent that it makes sense to focus recruitment efforts there." Just what we need: Michigan hospitals—HMOs—coming in, as they already do now, making it even easier for our health professionals to dash across the border and work. With the American money being what it is, they have an instant increase just there. Moreover, when a nurse starts at a hospital, one of those HMOs, they're sometimes given \$5,000 for every other friend they can bring along with them. In downtown Windsor in the mornings, if you were to come to downtown Windsor, you'd see the shuttle bus coming from those hospitals to Windsor to pick the nurses up and take them to work every day. That's how convenient they're choosing to make it for our health professionals to go. With this passage of the bill it will only get worse.

What our nurses, what our health professionals, require is stability—stability in the health system. It's incumbent on this government to provide that kind of stability, and that means funding at the appropriate time, funding the appropriate people—nurse practitioners who need to be working at the high level of education that they now have. The government just this week—just yesterday—announces that only 22 of the some 300 nurse practitioners we have available to practise in Ontario now are being funded to practise in Ontario. This is woeful and, frankly, neglectful on the part of the government because real people need access to service and real people in Ontario are not getting it.

I'm very disappointed that our newly minted Premier, Ernie Eves—who states clearly that he's a Windsor native—is going to ignore a \$35.5-million operating

deficit of our hospitals. Really, if he decided to launch his leadership in Windsor, he owes it to the Windsor community to take a good look at what we're lacking in the Windsor community: infrastructure money. To not even speak of SuperBuild and the money that just comes in dribs and drabs out of this huge portfolio that most communities don't quite know how to access yet—their spin on this private sector leveraging of dollars. In the meantime our roads suffer. Municipalities are straining to get at infrastructure money wherever they can and the Ontario government instead, like a fortress, is not allowing any of this money to flow. The last time we looked, \$14 million of a \$2-billion fund had actually flowed from SuperBuild. I ask, on behalf of Windsor residents, where is our SuperBuild money?

Not just infrastructure. I want to talk about schools, our education system in Windsor and Essex county where we have to go begging for books; where parents and teachers still spend most of their after-hours working bingos to pay for the most basic of materials. This was not the case before this government came to office, and this is what we still face and what we've repeated in this House today. We saw nothing in the throne speech that could see any way out of this.

All we can say is that we're looking forward to more hydro debate, more education debate, but especially health care debate. The things that really matter to the people of Windsor West are the things that I intend to bring forward in this session, as short as it may be.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Prue:** I listened with great intent, as I always do—and I'm sorry the member from Niagara Falls is not here—to what they had to say, and in the two minutes there are two particular points I'd like to focus on.

The first one is the statement made by the member from Glengarry-Prescott-Russell relating to municipalities and bonds and what was contained in the throne speech. I want to tell you that out there in the municipalities of Ontario, some 450 of them that still exist, the idea of floating municipal bonds is not a big seller, because they realize only too well that to float a municipal bond and to get money in that way, although that is preferable to going out to banks and other places where they loan money, is not the answer. The answer for the municipalities of this province is to have firm and stable financing, to have financing, from tax revenues or revenues of some sort, that is theirs in perpetuity so that they can plan and work with it.

We have suggested two cents on the gas tax to help build homes or two cents on the gas tax for transit, or transfer of some of the funds that presently flow into the government of Ontario, that instead should flow to the municipalities so that they can do what they need to do. For us to suggest to them that they merely need to get money from a bond service as opposed to where they're getting it from now—borrowing it from banks et al—is not the answer. That will drive them further into debt than they already are.

The second one is—and I've only got a few seconds left—the ridiculous tests for doctors. I agree they are ridiculous, but that is but the tip of the iceberg. We take nearly 250,000 immigrants in this country every year. We take them with a lot of skills and abilities and, once they are here, we do not use those skills and abilities. We need to use all of them, from doctors and nurses, from teachers, from lawyers, from dentists, from everyone. We need their services and we ought to be taking them.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is a pleasure to perhaps spend a couple of minutes in answer to the members from Glengarry-Prescott-Russell, Windsor West and Beaches-East York.

Several things have been mentioned. The member from Glengarry-Prescott-Russell talked about many promises having been made. The member should know, and I'm sure he does realize, that this government is the one that keeps its promises. I think he knows it's a Mike Harris legacy: "Promises made, promises kept." I'm surprised he brought up the promises scenario there.

He talked about the funding formula. In the throne speech, as we all know, there is a clear indication that if the funding formula is not working, there's always time to try, and we are now reviewing it. There's nothing wrong with that. I think that's a great step.

I know the member from Windsor West talked about foreign-trained doctors. I can say that my better half is a foreign-trained doctor. Now having spent 15 years with one of our local hospitals, she just got her pin the other day. In fact, at the end of this month she's doing a golf tournament to raise funds for the local hospital. The system is working. More needs to be done. Let me agree with that totally.

**Mrs Papatello:** What's she working as?

**Mr Gill:** She is a foreign-trained doctor, by the way, as I said. She did teach medical science students at the U of T after having been trained in a foreign country. Nonetheless, more needs to be done, and our government is working, opening up more spaces—the northern medical school—whereas the NDP had closed spaces. That's one of the problems. Many of our graduates—and I agree with the member from Windsor West—have to go to foreign schools and I don't think they should have to. We should have more spaces here. So I'm glad the government is working at that.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to respond to my colleague from Glengarry-Prescott-Russell and my colleague from Windsor West. First of all, both of them spoke with eloquence to what was lacking in this throne speech. My colleague from Windsor West particularly emphasized what's gone on in health care over the past few years in our community and what is happening this day in our community.

**1630**

You know, after September 11, each of the states in the United States had to submit an emergency plan to Washington. In the Michigan submission, Governor Engler argued for keeping the border open because, at

that time, in October of this past year, 1,600 nurses a day were crossing into southeastern Michigan—a day—to work at hospitals in Detroit. When the border was slowed down, they had buses coming to pick up our nurses and bring them to hospitals in the United States.

We are faced with a crucial shortage of doctors and nurses. We in Windsor challenge the government to move beyond a satellite medical campus in our community associated with the medical school at Western, and develop a full medical school at the University of Windsor to train more doctors. Even with the announcements the government has made with respect to additional medical doctor training, we will still be behind the state of Michigan, the province of Quebec, the state of Illinois, the state of New York, in terms of the number of first-year medical school places we have, even though in most instances our population is larger and we train doctors for other parts of the country.

In short, my colleagues are right to say this throne speech failed the people of our communities and of this province miserably.

**Mr Tony Martin (Sault Ste Marie):** I want to also compliment the member for Glengarry-Prescott-Russell and the member for Windsor West for their comments here this afternoon. I think it's important that we relate everything that goes on here, statements by the government, to what's actually happening at home in the communities that we all represent and to the issues that we all feel so strongly about and are here to actually champion on behalf of our constituents. They certainly tell a compelling story. They do an interesting critique. I'm not going to do a critique as much as to say, though, that what was lacking in the throne speech was, I think, a failure to understand the underpinnings of the economy that have served us so well in this province for so long and the underpinnings of the society that we have developed that had prided itself on its ability to look after everybody.

On the economic front, there was no reference whatsoever to the declining resource sector economy that's affecting so directly and in such a negative way that part of the province that I come from, northern Ontario. I say to you that you neglect that at your peril, because it's the resource-based sector that serves the north that in fact drives the economy of the whole province.

We may be excited about, and taking advantage of, some of the American good times that are happening, but if we're not careful, that will pass and we will have claimed nothing.

On the front of the underpinnings of a civil or just society, the lack of reference to the poverty and homelessness and social housing that exists in this province is telling as well. There was no understanding of the need for government to take a leadership role to be providing resources to make sure that people who are marginalized, at risk, our poor among us in our communities, are looked after. That will come back to bite us in the long haul as well.

Those are things we need to be looking at and need to be doing some things about.



**The Deputy Speaker:** One of the two original speakers may now take up to two minutes to respond.

**Mrs Papatello:** It's clear that there is more debate to be had in this House about how we will solve these significant issues. But I can tell you that since my time here, those issues have become larger and more severe, and they are of a nature that affects people in every way, especially in the area of health care.

When there is a health issue in a family, nothing else matters. I can say that with certainty, having experienced that myself. When there is a health issue in the family, nothing else matters. That's why it is under provincial government domain to solve these problems. When the problems are laid out for you, it's incumbent on this government to answer them, to problem-solve with us.

We have submitted more documentation that has offered more solutions in the area of physician shortages; stop-gap measures; funding of community health centres; bringing in nurse practitioners and all of the other allied professionals; moving forward faster with primary care reform by taking a significant look at how to pay our professionals, which seems to be the biggest stumbling block here.

Can you imagine that this morning we had an announcement of the first stand-alone primary care health network? It doesn't even include a nurse practitioner. What is the concept of primary care reform if we are not bringing in a new relationship with all the professionals? Our goal in the Liberal Party is to have the right patient seen by the right professional, getting the right level of care at the right time.

The issues remain constant through generations. People want access to the system. They need to have access and timely treatment. This government needs to focus on prevention. There is so much to do in the area of health. As I said earlier, when there is a health issue in the family, nothing else matters.

I urge this government to pay attention to the woes of our health system.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Martin:** It's my pleasure this afternoon to follow on the heels of my leader from yesterday and to offer some suggestions as to things this province could and should be doing or that we would do if given an opportunity to be government after the next election.

I think it's fair to critique the speech from the throne of the government, but it's even more important to proffer, to put forward, to put on the table, alternatives to their vision. In fact, there isn't much that was in that speech from the throne that lends itself to critique, because there wasn't anything of substance in it to give people any confidence that the government understands some of the challenges that confront us or that they understand what it's going to take to recover some of those things that have been allowed to deteriorate and simply disappear over the last six or seven years during their tenure, under their leadership.

The leader of our party, Howard Hampton, spoke yesterday of things that would be in a speech from the throne that we, as New Democrats, would present as government for this province and, indeed, will present once we're government after the next election. He spoke of that issue which he has become so compassionate and energetic about over the last number of months, in fact years, because he understands more than anybody in this place the important role, the significance, of having fundamental underpinnings to an economy if it's going to be sustainable, if it's going to be under our control and if it's going to serve all of us well, both now and into the future. He speaks of the issue of Hydro. I suggest to you that there are a number of other issues that are important, where underpinning, building a foundation upon which an economy can grow, is based.

For the last five or six years, the government has been the beneficiary of a very exciting and thriving US economy that we have ridden the coattails of. We've been on the wave of that economy. But unlike other jurisdictions in the world that have ridden the wave of this good US economy and the good overall global economy that has been happening, have done some significant things, primarily behind the scenes, to make sure that what was happening was taken advantage of in a way that would stabilize and give some confidence into the long haul, to make sure that once the smoke of this interesting economy that is proving itself to be less solid now as it shakes out than many had thought or hoped it would be—to guarantee their particular jurisdiction some long-term viability and sustainability where their economy is concerned.

For example, I've been over to Ireland, as you know, on a number of occasions over the last couple of years looking at their economy, trying to get some relationship going between my own community of Sault Ste Marie and a small part of that country that is working to take advantage of the good times that are booming in that country. When you dig below the surface, when you get beyond the obvious reality of there being a very competitive corporate tax structure in that country, you begin to understand that there's a lot more to the Celtic Tiger than just that. You begin to understand that the Irish people, intelligent as they always seem to be in front of tremendous challenge and difficulty, have begun to look at how they might strengthen their own indigenous industry and root it in a way that would keep it in locally controlled hands and link it up with enterprises of similar ilk in other parts of the world. In other words, they want to stabilize their economy, root it in the underpinnings of a locally owned, locally controlled, indigenous industrial base that will serve them into the future, that will provide the kinds of jobs and opportunities for their populace that they know they will need to provide as life unfolds.

**1640**

In Ontario, if we simply look at the north, for example, and the diminishing of the resource-based economy that has served that part of our province for such a long time, we begin to understand what is meant

by the need for us to stabilize and refocus and begin to develop once again a foundation base that will serve us and give us some local control and ownership.

That's why our leader is so passionate about the issue of hydro, because hydro is one of those underpinnings of the means of production that needs to stay in public hands so that it can continue to evolve in a way that speaks to a reliable source of energy there for us as we develop and take advantage of new opportunities and become more attractive to investment. It serves us as well in terms of being competitive so that we have prices that will give us an advantage.

Why shouldn't we have an advantage? Why shouldn't we in Ontario, and particularly in northern Ontario where we are still very much dependent on a resource-based, heavy industrial sector, be able to take advantage of the fact that we own, by virtue of our citizenship, the streams and rivers and waters that generate so much of that energy? Why shouldn't we, as does Alberta where oil and gas are concerned, be able to take advantage of that wonderful enterprise and industry that exist in our province and have served us so well for so long? Why shouldn't we be able to continue to have it in public hands, be able to continue to control it and use it to our own advantage out there in a global economy that is becoming ever more competitive and that is seeing jurisdictions like Ontario scraping and scratching to find advantage when we already have a natural advantage, a substance that everybody out there, given the nature of the economy that's evolving, is desperately seeking, wants and will pay any price for? Why shouldn't we be able to have enough of that at our disposal such that we can use it for its competitive advantage? It will also help us, I think, as we try to refocus on the importance of our resource-based economy that serves northern Ontario so well.

Over the last six or seven years, the resource-based economy in this province has shrunk significantly. If you look at Stats Canada and some of the indicators they put out, you will notice that some of the obvious sectors—fishing and trapping, logging and forestry, mining, quarrying and oil wells—and the manufacturing that is connected there, have all diminished, have shrunk. Those industrial sectors that have served this province so well have been neglected, have had a back turned on them and have not been given the resources they need, the leadership they need to continue to be the foundation block that I think they have the potential to be.

If you combine that with the deterioration or the recession that happened as well in the public-sector sector of our economy, you begin to see that northern Ontario has been hit over the last six or seven years by a double whammy that this government spoke nothing of in its speech from the throne just a couple of days ago, to give us to believe that they don't understand. Either that or they don't care.

I'm saying to them here today that we as a political party understand the important role that the resource-based economy has played and continues to play and

could continue to play well into the future if we'd only bring resources to the table, if we'd only sit down and develop a strategy around it and begin to imagine how it might be developed such that it takes advantage of some of the newest of technology that's available or gives us an advantage as we develop some of that technology to begin to sell that someplace else in the world.

My colleague from Timmins-James Bay is wont to say that we've developed in northern Ontario some of the best mining equipment that's available in the world today, and yet it's the best-kept secret in this province and in this country. Why aren't we taking advantage of that? Why aren't we setting up a centre of excellence in mining technology so that we can continue to develop that technology, and not only develop that technology, but sell it out there across the world to places looking for that kind of intelligence and information and equipment?

The northern Ontario economy has been hit by a one-two economic punch since 1995. First, the resource sector of the economy has been in recession. Second, the public sector has undergone a major retraction. The result, not mentioned in the speech from the throne of a few days ago, is that while the rest of the economy has boomed because of the USA economy, increasing by an average of 5% per year, the sectors most important to the northern Ontario economy have undergone a recession, I suggest, largely created by this government, both by its lack of action and in fact by some of the initiatives that it took particularly in the public sector, where vehicles that were put in place over a number of years by different persuasions of government to stabilize the northern economy were either done away with altogether or significantly diminished.

It starts with the Ministry of Northern Development and Mines. That exists today as a shadow of its former self, a ministry that was put in place at the insistence of John Lane, the member for Algoma-Manitoulin, who convinced his government, the Bill Davis government of the day, that there needed to be a lead ministry in northern Ontario to develop a context within which every other ministry would operate up in that part of our province and to give leadership and direction and to provide information and resources. But it has become a shadow of itself.

Within that ministry there were vehicles like the Northern Ontario Development Corp that is now gone. There were vehicles like the norOntair air service that served every major community in northern Ontario with safe, reliable and coordinated air service so that they could connect with the larger centres and the rest of the world in a way that gave them hope that perhaps some investment might come and take root in their community. That's gone as well. The northern Ontario heritage fund, which was put in place specifically because there was this very cyclical nature to the northern economy, has been changed now such that it has become nothing more than a vehicle for the government to curry political favour and to take up the slack that has been left because



all of the mainline ministries have had their capital budgets reduced to almost nothing. So you get the northern Ontario heritage fund now that has become a slush fund for the government, as well as SuperBuild, which in fact has the same rationale there. They've taken all the money that was available through the mainline ministries for capital and put it into the SuperBuild fund so that they could then decide politically where it would be most helpful for them to actually announce and invest that money.

What would we do? We would develop a northern strategy. We would develop strategies in the resource-based sector of our economy. We would develop strategies for transportation. We would develop strategies for new technologies. We would give the colleges and universities of the north the kind of money that they need to be those vehicles of economic recovery and development and training that we so desperately and absolutely need, not only in the big centres, but campuses in the small centres as well, the same as they were in the 1970s and 1980s.

1650

The colleges in particular are in need of some major resources—money—if they are going to even survive, never mind thrive. We would be giving them the footing they need if we were government, and we would be encouraging them to partner with universities, the private sector, communities, the labour movement and other organizations to develop community economic development strategies that would serve everybody well in the long haul.

We would give tourism a priority like it hasn't now. We know the government is announcing day after day more money for marketing in tourism, but if you have nothing to market, if you're not putting money into the actual attractions themselves, if you're sitting back while major attractions that have been struggling for a number of years sputter and fail or end up changing hands two or three times, then all the marketing in the world isn't going to do you any good. We would be looking at a major tourism strategy that would see us invest in infrastructure, as well as continue the marketing that is so important.

Also, we would like to focus on our aboriginal brothers and sisters up in the north, communities with tremendous potential to develop, to build on some of the very rich cultural assets they have in terms of their history, their language, the art they create and so many other things they are doing in their communities and across the north. They need, as well, a partnering. They need a friendly government that is willing to come in and sit and talk to them about what it will take to actually put them over the top in terms of connecting with the rest of the world and some of the other aboriginal communities that are out there so we can capitalize on that; set up a centre of excellence in aboriginal studies or in aboriginal development and enterprise so that they, as well as the rest of us, can take advantage of some of the economic

opportunities that are out there, so that they can have communities that are healthy and vibrant and forward-looking.

In the last few minutes I have left, I want to focus just for a minute on the issue of how it is that we reclaim some of the fairness and justice we need to see in our society that seems to have slipped and disappeared over the last six or seven years. I have said over and over again in this place that government has no more fundamental a responsibility when it becomes government than to make sure it is supporting those who are most at risk, vulnerable or poor among us. That calls for us to be looking at how we support and develop and resource communities that are sustainable, that work together for people.

It would require a recognition by this government that we have some major problems. We have some housing problems. We have problems with poverty. We have transportation problems. We have problems of crowding in many of our communities. With the government's downloading of so many services on to municipalities, we have problems of where we are going to get the money to provide all of that infrastructure that's required and necessary if communities are going to be viable, healthy and strong and able to support all those who live within their boundaries or in their jurisdiction.

I think we need to be supporting those communities and the individuals who live in those communities, no matter what their circumstance. That's where I would call on this government to immediately increase the income of some of the poorest of our citizens so that they and their children can in fact live in dignity and can begin to participate in a more active way in community life, so we can all benefit from the resource that's there and the health that will come from that, not only to the individuals but to the community itself.

I want to just focus for a minute on the plight of the disabled in our communities, who have not had a raise in their pension, in their income, since the early 1990s and who struggle every day because there isn't the opportunity for them. When this government wiped out the Employment Equity Act, they took away a very important vehicle from the disabled to actually begin to take advantage of the skill that they have and to participate in their community. In taking that away, you would think the government would see it as necessary to make sure that at least they have a decent standard of living, that they have enough money in their pockets to pay the rent, feed themselves and participate in their community in ways that speak to their being full partners in those communities. But alas, that's not happened.

That's why on June 20 I'm going to be bringing forward to this House for second reading debate a bill to increase the pension to people on ODSP in this province, to those disabled citizens and individuals in this province who are in desperate need of that. We're going to be bringing in a bill that will not only increase the pension for those folks but will tie it to the rising cost of living every year, as of April 1, so that automatically, without

having to come cap in hand or on bended knee, they will get that increase.

**The Deputy Speaker:** The floor is now open for questions and comments, up to two minutes for four members.

**Mr Gill:** It is again a pleasure to take part in this discussion. I will be spending some more time a little later on to perhaps take more part in the debate on the throne speech.

The member from Sault Ste Marie spoke about many things, and a couple of things were pretty frightening. One of the things he said—twice, actually—was, “When we form the government.” People still have not forgotten the NDP government, the doom-and-gloom days, the tax-and-spend environment where they threw money at everything. In fact, BC had an NDP government recently, and I believe people made the right choice, where they have a different government which is following some of the policies for prosperity that our government has been bringing forward.

The member for Sault Ste Marie spoke about Ireland, that he has had the privilege of travelling to Ireland in the last couple of years. One of the things that Ireland has been doing is lowering taxes, stimulating growth, attracting investment. Those are exactly the policies I suppose they are learning from us.

You know, whenever the NDP members speak, they also talk about the economy, that our economy is tied to the economy to the south, that we’re riding on the coattails of the US. They fail to recognize that we in this province are growing much more than any of the G8 countries.

I had the pleasure recently of heading the Ontario trade mission to India. We signed a lot of good deals. Businesses were very happy to be there, and they were very happy to look at the booming economy of Ontario and the lower taxes, the law and order. Therefore, they want to invest in Ontario. That is the kind of economy we are promoting, and that’s what we are saying in the throne speech.

**Mr James J. Bradley (St Catharines):** There are two sets of vulnerable people I know the member would be concerned about who have been advocating their cause to members of the Legislature.

One group are people who reside in nursing homes, seniors’ homes and long-term-care homes at this time, who are in a very vulnerable position because the amount of money that is allocated by the provincial government for the purposes of providing services for these individuals is far too modest, not enough money. The families of these individuals, the seniors themselves, who often don’t enjoy the kind of health that they would like to enjoy, and the owners of the homes, who would like to provide better service to these individuals, all recognize that there’s a need for an injection of funds. I’m sure the member, if he didn’t get a chance this time, has that in the back of his mind.

The second group of individuals—and I know the member again is concerned about these—are people who

receive benefits and are disabled in this province. I know the member has been advocating on behalf of those individuals. It is my understanding that essentially we have not seen any increase in the amount of money that is allocated for individuals who are on disability, that the amount of money they receive does not take into account the increases in rents and increases in other costs which people must meet on a daily basis. These are areas that I didn’t see addressed appropriately in the speech from the throne, and I know the member for Sault Ste Marie would share my concern about those.

**1700**

On a more parochial basis, you in the chair would know the disastrous situation we’re confronted with in the Niagara Peninsula and near the Niagara Peninsula in terms of ambulance dispatch services, the chaotic situation and the report that was hidden for six months. I’m very pleased that the member was able to speak, and he may be able to address some of these issues in a subsequent speech.

**Mr Prue:** I would first like to commend my colleague from Sault Ste Marie for a very thoughtful speech. He spoke eloquently and touched on the very special needs of the north, and it is to those special needs that I turn my attention.

First, he is quite correct that the resource-based industry of the north seems to be very much in decline, and as it declines so does the population of those northern ridings. As the population of the northern riding declines, so does the economy and everything that goes with it. One need only travel across northern Ontario to towns that were once booming with excellent mines and mills and to see that the resource-based economy of Kirkland Lake, for example, or Atikokan or other northern towns, is simply not there any more. What is starting to happen is that the economies are faltering, the young people no longer have a place to stay and therefore they don’t. He is quite right: more money needs to be put into those communities if, in fact, there is a will for them to survive. I believe they have a will to survive, and we should be assisting them.

The second point he made that I think has not been touched on before and is very important is what has happened to our native peoples, many of whom come from the north but increasingly we are seeing in southern Ontario in places that we really didn’t see them before. As a boy who grew up in Toronto, I did not know many native Canadians. But you need only go on the streets of this city today and you will see them in great numbers, sometimes in very unfortunate circumstances. It is said that about 2% of the population of Toronto is now native Canadian but 10% of our homeless are. Therefore, they are five times as likely to be homeless in this city and five times as likely to be unemployed in this city as those who were otherwise born in Canada or who came from somewhere else. I do not see that addressed satisfactorily in the throne speech. I know it is federal responsibility, but we all have a responsibility for those people in our midst.



**Mrs Marland:** When we talk about northern Ontario, and particularly someone speaking from the New Democratic Party, I agree that there is something or, in this case someone, who is not there any more. I think with great respect and high regard of a New Democratic member, Bud Wildman. I believe that Bud served in this House—Jimmy, you probably know better than I—was it 19 years or 17 years?

**Mr Bradley:** From 1975 to the last election.

**Mrs Marland:** Twenty-three years—incredible service. Of course, the irony is that we are having this debate on Thursday afternoon, and I miss that member very much because Bud Wildman always had House duty on Thursday afternoons as well, which I could never understand because he certainly had a far greater distance to go home to his riding than I do to Mississauga South.

I never really had the opportunity at the time he was leaving to take part in a tribute to him. Actually, if I'm not mistaken, he decided to retire after the House had adjourned, and I don't think any of us had an opportunity to pay tribute to him. So I'm using a bit of licence here, Mr Speaker, with your permission. I think Bud Wildman is one of the finest representatives that not only northern Ontario but all parts of Ontario have ever had, in both the longevity of his service and the ethic with which he represented the needs of his people as he saw them from his philosophical viewpoint. I still miss him, and I miss his humour and his good nature and his Thursday afternoon jokes.

**The Deputy Speaker:** Thank you, and we'll make sure a copy of that tribute goes to the family.

With that, the member for Sault Ste Marie has up to two minutes to respond.

**Mr Martin:** I want to thank the members who participated in the debate this afternoon in response to my speech and, first of all, to say to the member for Mississauga South that Mr Wildman is doing well. He's working hard as chair of the board of governors at Algoma University and doing some contract work with the federal government. He will actually be going to Ireland with me in a week. I will be the recipient of, and will be able to enjoy, his humour and good conversation there and will certainly tell him of the nice things you said here this afternoon when I see him this weekend.

The member for Beaches-East York, as usual, understands the issues of the city but is also able to connect them to some of the real challenges we're facing in northern Ontario, and I thank him for that.

The member for St Catharines, as usual, was watching the television and heard everything I had to say. He recognizes that I always talk about the poor and the marginalized and those who are vulnerable. Certainly those who are in our retirement homes are at risk at this point in time and are in need of resources.

I wanted, though, to spend a bit of time on the member for Bramalea-Gore-Malton-Springdale, because he threw out a challenge and I think it needs to be responded to. He talked about Ireland. But when the Conservatives talk about Ireland, they forget that the European Union has

literally shovelled buckets of money in to take up the vacuum the good corporate tax structure has provided. The investment by the European Union and the Irish government in infrastructure in Ireland would make Ontario look sick, and it's paying dividends.

I say to you that over the last five or six years, this province has enjoyed the best of economic times, unlike when we were government between 1990 and 1995, and if you look at the stats they have generated some \$40 billion in excess revenue above and beyond even the tax break they've given away. The question we need to be asking is, where is that money? Where is it?

**The Deputy Speaker:** The floor is open for further debate.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I am delighted to have the opportunity this afternoon to add my voice to comments about the throne speech. I've been listening with interest to the comments this afternoon, and I guess I look at this from a very different perspective.

The throne speech began by talking about spring, a bright, new era, and quite frankly in my riding of Guelph-Wellington that's how people are viewing things. It is spring. People are excited. They recognize that we have a new leader, a new Premier. They are pleased that I have a new portfolio, and certainly I'm very excited about that. With our new session come new challenges and new opportunities, and on this side of the House we are very excited by that.

In my own riding of Guelph-Wellington, we are celebrating something very special. This is Guelph's 175th anniversary, and our city has been full of celebrations and different events for several months now. My riding encompasses not just the city of Guelph but also Guelph-Eramosa and the township of Puslinch. Generally in my riding, we are thriving.

Oh, Speaker, I must apologize. I was to indicate that I was sharing my time with Mr Gill, and I do hope you'll allow that to continue. Thank you. My apologies to my colleague.

To continue, in my riding, including the two townships, our unemployment is generally below the provincial average and the national average. We have a wide variety of businesses. We have a thriving university, in the University of Guelph, and Conestoga College. We have a fantastic citizenry. We have thousands of volunteers who participate in many activities. I am told that in Guelph we have more organizations per capita than many other jurisdictions, and there are some days when the invitations to different events certainly seem to me to reflect that. But for the most part, my community of Guelph-Wellington is very fortunate. We are safe, we are happy and for the most part it's a very successful community.

But it hasn't always been like that. When I came here in 1995 to do my part to turn Ontario around, I came from a community that was very worried about its future, very troubled by the misguided policies that were being foisted upon the province by the Liberal and NDP gov-

enments. I saw first-hand, as a small business person, the damage those kinds of tax-and-spend, high-deficit policies could do. I came here not for myself but for the most part for my children, to do what I could to make sure that our future was brighter. I was not about to be part of a province where debt and lack of prosperity were going to be placed before my children's and other children's future.

1710

I can remember going to events and people would be saying to me, "Brenda, if you're elected you must do something to change this province, because I can't continue to do business here. I'm going to have to move to the States." I haven't heard that since 1995.

Today I had the opportunity to pay tribute to a colleague, Harry Worton. I have never worked closely with Harry, other than in the community, but he represented our riding in this Legislature for over 30 years. My community greatly respected Harry. He and Alf Hales, who represented our riding for many years in the federal House, were both remarked upon for their kindness, for being wide decision-makers and for being very attentive to the riding. I hope that the day I choose to leave politics that's exactly how I will be considered.

I referenced the throne speech. There are a couple of lines here that I thought reflected how I feel about what government is to do:

"Responsible government knows its place. It understands where it does not belong and is prepared to get out of the way.

"But responsive government also recognizes where it has a role to play to provide leadership and to take action in the best interests of all Ontarians. And it has the courage to play that role.

"Your new government promises to deliver both responsible and responsive leadership....

"Leadership with the strength to listen and the courage to act, blending common sense solutions with a common sense of purpose."

That's very much, I guess, how I feel my role should be. I'm here to represent the interests of my riding in Guelph-Wellington. I'm here to consider and make my wise decisions in the interests of the province as a whole, to assist all of our citizens to the best of my ability. We work very hard on this side of the House to do just that.

The key areas referenced in the throne speech were education, jobs, health and the economy, sound planning and safe communities.

I was listening to my opposition colleagues across the way bemoan all the terrible things they seem to think are wrong in Ontario. That's certainly not the case in a riding like mine. Just in the last few weeks my riding has had millions of dollars more for education. My university at Guelph has been greatly benefiting from the kinds of research and challenge money that we have put into their university and many other research institutes across the province.

In my community we have a brand new long-term-care health facility being built. We have a new hospital

almost completed. We have a new community health centre. We have new long-term-care beds underway. The health system in my community has never had greater opportunities to deliver better health care in decades, and that's because of the decisions and the investments that this government has made. My constituents absolutely can say with great confidence that the services delivered to them are better than they've had for many, many years.

We do have some problems. For instance, doctor recruitment is a challenge. My community is underserved and we don't have as many doctors as we would like. There are many reasons for that and it's happening, sadly, not just in Ontario but across the nation. I have to say that I'm very impressed that our Minister of Health has worked very hard to try to implement every single worthwhile idea that's come before us, to find ways to recruit and to encourage physicians to move into parts of our province where they are greatly needed.

The throne speech I thought was comprehensive in that it touched the areas that the constituents I represent in Guelph-Wellington think are priority areas that governments need to deliver services in. To say that everything we have done on this side of the House has been perfect would of course be foolish. That is impossible for any government. But to be responsive and to listen and to look to the future to make things better, to always strive to provide new services and better services, is exactly what we are trying to do, ever mindful of living within our means, ever mindful of the fact that we cannot generate money as a government; we can only set the stage for our businesses, for our entrepreneurs to in fact create the jobs, to send in the tax revenue, to serve our citizens. That is in fact their role, not the role of government. I think we've done very well at that.

I have a book in front of me that reflects what happened in my community 175 years ago. The founder of my community was John Galt. He was a storyteller as well as a land speculator. On April 23, 1827, together with Dr William "Tiger" Dunlop—"a fellow adventurer and author," he's called here—and Charles Prior, who was a manager that was hired, they felled the first tree in Guelph. This is how he wrote about it:

"The tree fell with a crash of accumulating thunder, as if ancient nature were alarmed at the entrance of social man into her innocent solitudes," Galt wrote.

"It was no accident that the ... tree came down on St George's Day," because he "believed Guelph would become an important city, and chose the national holiday honouring the patron saint of England as a day fit to launch the city with the royal name. He chose a name steeped in history, dating back to the Hanoverian Welfs and the Guelfs who controlled the dynasties of Northern Italy in medieval times. King George I brought his ancestry as a Guelph and elector of Hanover to the British royal family with his accession to the throne in 1714."

This book also mentions that, "The land that would become Guelph ... was beside a large tributary of the



Grand River, which Galt called the Speed. He saw it as a logical choice for the company's first major development, within trading distance of York and many of the surrounding townships—including Waterloo, Erin and Eramosa—that were already active settlements."

When my community was founded, it was founded with hope and a vision of entrepreneurship, of community spirit, of activity where people would gather and work happily to build things together, to make their families and their businesses prosperous and happy.

It's the role of government to play its role, as I said, to be responsible and responsive, to make sure the citizens are able to carry out their lives successfully and happily. I believe in the throne speech we have outlined a plan to do just that, to support communities like mine in Guelph-Wellington.

I would like to close my comments with these remarks that closed the throne speech: "Your government knows that the trust of Ontario's citizens is something that must be earned each day.

"Your government will work hard to earn that trust."

I know that I do just that, and I know my colleagues on this side of the House do just that as well. We make our wisest and best decisions in the interest of all Ontarians, ever mindful of the needs of our local constituents, and I believe the throne speech is a blueprint to help us do that successfully.

**The Deputy Speaker:** The member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** It is my pleasure. I want to thank my colleague from Guelph-Wellington, the Honourable Brenda Elliott, the Minister of Community, Family and Children's Services, for allowing me some time this afternoon to perhaps share some views on the throne speech.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** You'll be better than her, don't worry.

**Mr Gill:** Thank you for the encouragement.

I'm pleased to stand in the House today and join in this debate on the speech from the throne. Last Thursday, May 9, exactly one week ago today, our government kicked off the new legislative session with a plan to protect and enhance the economic progress of the past seven years under our new Premier, Ernie Eves. I want to welcome Premier Eves on his return to public life and I want to thank him for giving me the opportunity to serve him and the people of Ontario as his parliamentary assistant.

We call it a New Era for Ontario. It lays out the most important measures we, as government, will take to ensure Ontario's growth and success.

Ontarians know our government keeps its promises. That is the legacy of Premier Mike Harris. He brought credibility back to politics. Our government protects their jobs, keeps their families' finances sound and ensures Ontario—

**Mr Sorbara:** After seven years of lies, lies and more lies.

**The Deputy Speaker:** Order. Take your seat, please. Sorry to interrupt. The member from Vaughan-King-Aurora, you're not in your seat. You've done more heckling in the short time you've been here than everybody else combined this afternoon, and I'm asking you to withdraw those comments you just made.

**Mr Sorbara:** You'll have to wait until I get to my seat, Mr Speaker. I certainly would withdraw those comments.

1720

**Mrs Marland:** We had a good afternoon, Greg, so don't change—

**The Deputy Speaker:** Exactly the same thing would apply to the member for Mississauga South, whose seat is way over there, not way over there. So now it's contagious. We've had a little levity. If would could now focus on the—

**Interjection:** This has been the best part of Gill's speech.

**The Deputy Speaker:** Order, please. I'd ask the member for Bramalea-Gore-Malton-Springdale to please continue.

**Mr Gill:** Thank you for bringing order back to the House; you're doing a wonderful job.

I'm proud of Premier Eves and his willingness to listen. I'm proud of his long record of service to this province and this Legislature. I'm proud of his straightforward and direct approach to acting on the concerns of Ontario citizens. When it comes to showing leadership, this government has been there. I know it will continue to be there when Ontarians need it, and I'm pleased to see that our government's commitment to smart growth has been carefully restated and confirmed.

In my own riding of Bramalea-Gore-Malton-Springdale we are very pleased to see the new pedestrian tunnel at the Bramalea GO station. It's within days of being complete. This tunnel will increase the ability of our station to handle the many thousands of commuters who use the train every day. When they take the train, they are saving themselves the hassle of driving and are avoiding pollution, traffic congestion and road maintenance costs. Indeed, so many of my constituents are getting on the GO train that they recently got new train service throughout the day to Malton and Bramalea stations. This is proof that the province will ensure that GO Transit can move the people of the GTA where and when they need to go. I think it's important that we do everything in our power to make a trip on the GO train as comfortable and convenient as possible and that we keep encouraging commuters all over the GTA to get on the GO. This is smart growth at work.

It's also a good start to see that the government's transit renewal plan is continuing. Two of the communities I serve received funding this year under this program. Brampton Transit got more than \$1 million and Mississauga Transit got more than \$3.5 million. This money is going to help them refurbish and maintain their fleets of buses to keep the people of Bramalea-Gore-Malton-Springdale moving. This is an example of the

great things we can do for our constituents when different levels of government work together.

I'm getting the feeling that even our MPs in Ottawa are starting to listen, especially after the recent by-elections. The people aren't going to let the federal government get away with doing nothing forever. They aren't going to win by default forever. Our MPs federally are starting to get nervous. Perhaps they know that we had by-elections on May 2 and we did well. As I said, they had by-elections on May 13 and they didn't do too well. Those federal MPs are perfectly correct to be nervous.

It is interesting that, after much coaxing, even our federal counterparts have started to come to the table to co-operate on issues like transit funding. Whether their contribution is worthwhile or not remains to be seen. I know it will be compared to the \$3 billion that our government has offered. I hope that it isn't as inadequate as their contribution to health care funding has been.

It's also encouraging that the throne speech reaffirmed our government's commitment to training, colleges and universities. I had the honour, as you know, of serving as Minister Cunningham's parliamentary assistant over the past year at that ministry. I came to realize the important fact that education is an economic development program, not a social program. Education is investment, not merely spending. Our continuing commitment is that every willing and qualified Ontario student will continue to be able to attend college or university. Our government works closely with universities and colleges to project enrolment every year. Again, the results of co-operation are showing. Advanced learning is becoming more accessible. Ontario's post-secondary participation rates are increasing. The percentage of 18- to 24-year-olds enrolled in colleges and universities has increased from 28.5% in 1990-91 to 36.4% in 2001-02.

Now we are coming up on the double cohort. As a double cohort parent myself, I was one of the stakeholders Minister Cunningham had to convince when we planned this out. I had to be convinced and I had to see the plan with my own eyes. I knew that the ministry and the government had listened and that they are going to be ready for the double cohort.

Increasing enrolment is the reason why in the 2001 budget this government committed to increasing our support for colleges and universities by a projected \$293 million. Provincial funding to support post-secondary education increased by about \$78 million in 2001-02, and an investment of over \$1 billion through SuperBuild, combined with our partners' contributions, will result in a total of \$1.8 billion in capital construction at colleges and universities across the province. SuperBuild is supporting 59 new capital projects at our colleges and universities, thus creating 73,000 net new spaces, the largest capital investment in Ontario's post-secondary system in more than 30 years. In addition, colleges and universities have agreed to create additional spaces through better use of existing facilities. To help them plan, the province has

invested another \$300 million since 1999 in the renovation and renewal of existing post-secondary facilities.

At the same time, we've seen years of accusations and fearmongering from the opposition benches. They said that fewer students will be going to universities and colleges. They saw political advantage in frightening students and parents. They took political advantage of parents and students by telling them that the doors to post-secondary education were closed. That is contrary. More and more people are going to universities.

More needs to be done, nonetheless, and I'm proud to be part of the government that creates the environment to keep the economy going.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Gerry Phillips (Scarborough-Agincourt):** I am pleased to respond to the comments of the member from Bramalea-Gore-Malton-Springdale. He made several points, several of which I'd like to comment on.

One is that I was very pleased to hear him talk about education as an economic development tool. I agree totally with that. I believe—and my leader, Dalton McGuinty, in his economic platform, believes—that Ontario can be North America's leading economy and that we will do that by being fiscally responsible, by making sure this is an area that attracts investment, but we will distinguish ourselves by our ability to have a superior workforce.

Our concern, frankly, is that the government has embarked on a policy of having corporate taxes in this province 25% below the US, below all our competitors—below Michigan, all the border states, Alabama. As a matter of fact, they are pushing the federal government to get it well below 25% below.

So as we look to some investment in our education system—and you see our elementary and secondary schools desperate for funding—I would say to the member that the universities and colleges have informed us that they've taken on about \$1.5 billion of new debt, capital debt, for the double cohort. Of your increased annual expenditures, at least \$100 million of that is going to go every year to pay interest on the debt. So while you talk about an investment—and we agree that education is an economic tool—you are starving the tool, and corporate taxes 25% below the US as an economic engine is wrong. We think we can distinguish ourselves by a superior workforce.

**Mr Prue:** I listened to the member from Bramalea-Gore-Malton-Springdale. I have seen many times true believers on that side of the House, but he has to be one of the truest of the true believers. He stood there and he gave his speech and he read it with such aplomb. Every word he was saying I honestly believe he believed from the bottom of his heart.

1730

**Interjection:** He used to read our Liberal speeches.

**Mr Prue:** He used to read the Liberal speeches just the same way, but he now believes that, and I want to just comment on two of the things he was talking about.



The first was GO Transit. I congratulate him on having a new walkway in his riding where the people can get on GO Transit, but the reality is that most of the people from Bramalea-Gore-Malton-Springdale who get on GO Transit end up in Toronto. And when they end up in Toronto, they don't have the same good, lovely services. They have the Toronto Transit Commission, which has been starved for years and continues to be starved. It continues to have inadequate funds to do the job as it should be doing and as is being done as well in his riding out there in Brampton.

The second thing he's talking about which I think needs to be commented on is the money for schools. I listened to that as well. Sure there was all kinds of money, huge amounts of money, being talked about here, but the reality is that the schools in this province are on a very bad downward spiral. One need only go around—the Catholic board invited members, and not one member on the other side of the House went either to their press conference or on the bus tour to see the very bad condition of those schools. They're in terrible condition, and the public schools are in exactly the same condition. The money is not being put where it is needed. They are \$135 million short in the Toronto system, the Catholic system is short and that's where the money should be put.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise to say a few words this afternoon. I'd like to thank the member from Guelph-Wellington, the Honourable Brenda Elliott, for her comments, as well as my colleague Raminder Gill from Bramalea-Gore-Malton-Springdale. I'd also like to compliment and congratulate Premier Eves on his election in his new seat of Dufferin-Peel-Wellington-Grey. Today it's been acknowledged that our member from Nipissing, Al McDonald, is the successful candidate. It was a close race up there, but I have to tell the audience and the members who are in the House today that it's the first time in over 50 years that when a Premier has left his seat the seat has been won by the party in power. We're very proud of that because we know the Liberal Party in fact thought they had that one in the bag. We're very proud of the work Al did, and previously Mr Harris as well.

I'd like to make a couple of comments on Mr Gill's comments. First of all, on the SuperBuild announcements, he would certainly know, as former parliamentary assistant to the Minister of Training, Colleges and Universities, that the announcements are coming forward now and there's a lot of construction taking place. We're very pleased in Simcoe county that Georgian College has started its construction on 2,700 new pupil places. It's a \$17-million investment. Georgian College has approximately \$6 million from partners contributing to this project as well. We're looking forward to opening that late next summer and the double cohort taking place and 2,700 new pupils entering Georgian College in Barrie, Ontario.

**Mr Sorbara:** I listened very carefully to the remarks of my friend from Bramalea-Gore-Malton-Springdale and I just want to raise two topics because the kind of

propaganda and platitudes that we saw in the throne speech and replicated here in the speeches that are read by the members opposite in support of their new Premier and his government really need to be unmasked. A strong light ought to shine upon them.

First, on the issue of transit, to refer to a tunnel that has finally been built at a GO station in Brampton in the face of the extent to which transit right across Ontario has been ignored by the Conservative government of Ontario is a terrible shame. It used to be that American jurisdictions came to Ontario to look at the progress and the leading edge of transit development. They now come and tell us that over the past 10 years this province, and in particular the greater Toronto area, has fallen behind.

I want to mention as well his defence of the terrible mess in post-secondary education, particularly on the community college side. I invite him to speak to the board of directors of Sheridan College, which exists in his very riding. They will tell him, because they have told me, that the level of funding per student is now so low at Sheridan College and at every community college that it is virtually impossible for them to meet their responsibilities and their mandate. For that member to stand in his place and say, "Isn't it wonderful and fine?" is an abdication of his responsibilities to represent his constituents rather than his government.

**The Deputy Speaker:** The member for Bramalea-Gore-Malton-Springdale now has up to two minutes to respond.

**Mr Gill:** I do appreciate everyone who took part in the debate today: the members for Scarborough-Agincourt, Beaches-East York, Simcoe North and Vaughan-King-Aurora. I think it's a very healthy debate. It's interesting that different parties have different views.

The wonderful news that comes out of government every day is always being knocked by the outside. The proof is really when the Minister of Training, Colleges and Universities talks to the university heads and they all agree that they are ready for the double cohort. I'm very satisfied, as I said earlier on. One of my daughters is going to be starting university this year, and the other one next year, which is part of the double cohort. We can say all the wonderful things we want, but when the university heads themselves agree that they're ready, and every child who is willing and able to go to university will be allowed and will have the space to go to university, I'm satisfied with that kind of investment and that kind of assurance that the universities themselves are giving us. I'm very, very happy to say that most of her classmates are going to university and getting early admissions. I'm very happy. So I want to encourage the young people, including some of the pages here, who are taking part in the curriculum and the new studies.

When we talk about how the curriculum has been condensed—and a lot of people say, "Well, the sky's falling. All of a sudden, we're going to have a great failure rate"—the world has moved ahead. The world has secondary school up to the level of grade 11, grade 12. We are just realizing it, because it was a hard decision to

make. Somebody had to get up and say, "Grade 13 has to be eliminated. We have to have grade 12." We made those choices, and I'm glad to be part of that government.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Michael Bryant (St Paul's):** I want to share my time with the member for Toronto Centre-Rosedale.

I want to speak to one particular line from the throne speech, on page 17: "The people of Ontario should have a voice in the future direction of one of Ontario's most important resources. Your government has the courage to listen, the willingness to consult." It's becoming incredibly clear to all of us in this Legislature—and I can't believe that people in the government benches are happy either—that in fact the government does not have the courage to listen and does not have the willingness to consult when it comes to the future of electricity transmission in the province of Ontario. We have been told by the Premier and the energy minister that what we are going to get is a blank-cheque bill whereby the government will, as it's explained by the Premier, address the issues that arose from the decision of Mr Justice Gans; namely, the ability of the province to dispose of the assets of Hydro One. That very subject matter, the future of electricity transmission, is probably the most important debate we are going to have this year in the province of Ontario, certainly this legislative year. It is about deciding what we're going to do with a natural monopoly. The electricity transmission highway takes electricity from generation upstream and brings it downstream to people's local communities from where it is distributed. So it's the highway, the river, the stream.

1740

For all of us here dealing with this incredibly valuable asset, we deal not only with something that affects our lives but really a commodity like none other: electricity. We need electricity for everything. The people need electricity to turn on their televisions and listen to this speech.

*Interjection.*

**Mr Bryant:** They just turned it off.

Moreover, we're talking about a very valuable asset. Just forgetting for the moment about how important electricity transmission is, we're talking about a company, Hydro One, that makes net revenue of over \$330 million each year for us, the people. We, the people, have this natural monopoly that we in fact benefit from. If we want to seriously address stranded and residual debt resulting from the old Ontario Hydro, we wouldn't engage in a one-time sale, a fire sale. We would rather take that \$330 million each year and put it toward the debt. That just makes sense.

If a farmer is having a bad year, does the farmer sell the farm? The problem, of course, is that there's nothing left for the future. If you sell 20 acres and then another 10 and then another 10 and another 20, suddenly there's no farm left. The government wants to sell the farm, and it's a fire sale. We on this side of the House say it's all about balancing the budget. It's all about the government

getting the proceeds of the electricity transmission highway and using them to deal with their current fiscal situation.

Mr Justice Arthur Gans made it explicit in his decision that in fact the proceeds from a Hydro One IPO would necessarily, absent legislative changes to the contrary, which don't exist, have to go to the consolidated revenue fund. It's not like it can magically go off to automatically pay the debt. It doesn't. It goes into the consolidated revenue fund. Granted, the commitment can be made to pay it, but it's got to go through that fund. If you want to deal with the debt, if you want to make that the linchpin of the argument for the sale of Hydro One in whatever form—income trust, IPO, not-for-profit, lease or strategic sale—you would want to take the money you earn each year and over time you would be able to pay down more than you could in a one-time payment. That just makes sense.

But there's a more fundamental issue here. Imagine that you came home one day and found out that one of your kids had sold your car, just sold your car, and you said, firstly, "You did what? I never said you could sell my car."

"Look, we got a pretty good price for it."

Two problems: first, you sold the car without being able to do so, without any authority whatsoever. "That was my car," you would say. "That wasn't your car; that was my car." Similarly, the electricity transmission grid is the people's grid.

Second, what if the sale is a crummy one? "You sold my car for what?" This is my other concern; it's a fiscal concern. It's this: are our kids or our grandkids going to look back at the sale of the electricity transmission highway and say it is the 21st-century equivalent of selling Manhattan Island for \$24? Are we giving up and ripping off the taxpayer by selling it? I say yes. We're going to hear from the government on this.

But wait a minute. We're not going to hear from the government on this. This is the worst part about what is happening with respect to what the government refers to as having a voice in the future direction of one of Ontario's most important resources: the blank-cheque bill. The blank-cheque bill is going to be the mother of all legislative battles. The fight over the blank-cheque bill—and Ontarians should be aware of this—is going to really be a fight about the state of our democracy in Ontario and the abuses and excesses of executive power. This may end up being the most putrid perversion of parliamentary process that one could possibly imagine, whereby the executive gives itself the power to do something that the Legislature hasn't had an opportunity to speak to.

Not only will this government not listen, not only will this government not wait to hear from the courts—and I don't even have time to get into that. That's too bad, because the most bizarre thing is happening. Normally the government wants to wait to hear from the courts. The court finishes its dialogue, it comes back to the Legislature and then the Legislature can have the last



word in most cases, absent a charter case, but even then they can have the last word by invoking section 33, the notwithstanding clause. We have a democracy that is built in a way that is supposed to be working in a way where the people get the last word.

Under the blank cheque bill that will be introduced by the government of Ontario to give itself the power to do whatever the executive council wants to do with respect to the future of the transmission grid, we, the people, will not get a say. "What do you mean you won't get a say?" I mean this: the people get an opportunity to have a say on matters of government business, what we used to refer to as the business of the Queen, by electing people to represent them in the Legislature. The executive presents bills. The government presents bills. They are government bills. This is the executive's opportunity to present to the Legislature what it wants to do, and then the Legislature has the opportunity to vote on it.

We know that in a system of majority government in the 21st century, modern-day Parliaments create honourable tyrannies. We know that. I understand that. But that doesn't mean we don't at least give everybody the opportunity to be held accountable to their citizens. So in fact the honourable Mr Guzzo, who has said he is opposed to selling off Hydro One—and he said it several times in published reports—won't get an opportunity on behalf of his constituents to say, "No, I don't want to sell off Hydro One."

Mr Tascona said in private members' business this morning, "I'll quite frankly come out as the member for Barrie-Simcoe-Bradford in favour of public control of Ontario Hydro," reading from the draft Hansard in that debate on Hydro One. I'm presuming he means he's in favour of keeping Hydro One public, but I'll let him clarify that. In fact, that member, that backbencher, will not have an opportunity to have a say on behalf of his constituents as to the future of Hydro One.

This government doesn't have the courage to listen even to their own caucus, even to this Legislature. It is going to be a sad, sad day when Princeton's prince of privatization gets the last word on the future of Hydro One.

**Mr Smitherman:** It's a tough act to follow here on a Thursday afternoon, my friend the member from St Paul's, but I will do my very best.

Last week, on May 9, the day of the throne speech, I woke up with a splitting headache. I now have more sympathy for those sufferers of migraines. I think I have a slightly better understanding of what it's like. It was a pain like I think maybe people who have an arthritic knee and can tell about the coming onslaught of bad weather get. I've written that pain off about the coming onslaught of one more big, fat document full of flowery words and lousy execution.

I just listened to the presentation by the member from Bramalea-Gore-Malton-Springdale and I thought, this guy is out of touch. He doesn't have the right message track installed, because he's back on the Mike Harris message track of promises made, promises kept. He obviously isn't up to date and hasn't read the right

messaging line from the know-it-alls who write the speeches for these guys. People will quickly see—

1750

**Hon Janet Ecker (Minister of Finance):** As opposed to those who write yours, who don't know what they're talking about.

**Mr Smitherman:** Unlike the Minister of Finance, who heckles me, I don't need to have every word written and scripted for me. I can go from my heart because I have a set of values which inform where I'm going.

But the member opposite can't do that. He's stuck on, "Promises made, promises kept." He has already spoken, therefore, and rejected a new era for Ontario, which will be rejected, without doubt, just as quickly as this government's last year's "21 Steps" throne speech was rejected. That one, if you recall, should have been rephrased "Mike Harris's last 21 steps: an exit to political oblivion," because he couldn't reignite public support for his government which has the stamp on it. You know, during the course—

**Hon Mrs Ecker:** How come we won two by-elections?

**Mr Smitherman:** Oh, they won the by-election. Yeah, those results were really terrific.

I want to take the opportunity this afternoon to talk a little bit about some of the issues that I think this throne speech has failed to address.

First, I want to say that if Ernie Eves really wanted to do something that significantly sent a message about the extent to which this government had rejected its mean-spirited ways of the past, they would move—and my friend from Sault Ste Marie spoke on this issue earlier. One of the most insidious, disgusting, disheartening things that this government has ever put its grimy little fingerprints on is the way that they have clawed back from the poorest kids in our society the federal government's efforts to make their lives better. The child tax benefit clawback is the single most disgusting thing I've seen these guys up to. I would lay down that marker. I don't think you'll see any change because Ernie Eves and Mike Harris are interchangeable. One of them has got a slightly better quality of suit, but beyond that their golf games are almost identical. So too is their work ethic and, regrettably, we see from this throne speech, and from the presentation of the government subsequently, it's the same old business.

I saw the Premier, Mr Eves—I wish I could wear a button in the Legislature. I'd wear one of those buttons that was oh so prominent during the leadership race, "Another MPP for Ernie Eves," because with every passing day I am more excited about the prospects of this guy at the head of government vacillating back and forth on the issue of Hydro One. Were it not for the member for St Paul's and the member for Renfrew-Nipissing-Pembroke and my leader Dalton McGuinty and Gerry Phillips to keep this story straight, even the government would have a more difficult time than they're clearly having knowing where they stand on the issue of the privatization of Hydro One.

I saw that Premier speaking about the importance of multi-government support, all three levels of government working together to solve the homelessness crisis. Well, I'll tell you, as someone who represents a downtown riding, this government's record on this issue is disgusting. With every passing day, people who are living in the downtown, whether they're in shelters or whether they are adequately housed, are becoming increasingly despondent.

I will tell you that we need a government with a vision and with energy and with the capacity to meaningfully address the problems that are caused when people are getting housing in the form of shelters. This government thinks that shelters are housing. I wish that the real Premier was here—Mr Flaherty, the Minister of Opportunity. The only opportunity that he's ever taken is to belittle the plight of those people who find themselves in the unfortunate position of being homeless. I would challenge him to spend just one night in a shelter, to see the extend to which these places are a warehouse for human misery that can have no effect but to diminish the heart and soul of the people who find themselves in those predicaments. I've done that and I would challenge members of the government to do so.

I want to say that I'm here in the presence of the member for Parkdale-High Park, who served so ably as our education critic and would no doubt serve ably in a ministerial capacity something like that as well.

For those of us who have the responsibility of representing ridings in the city of Toronto, we look at last week's great announcement by the Deputy Premier and Minister of Education of some \$350 million across the breadth of this enormous and great province. Not an unsubstantial sum to people sitting at home, but when you consider that we have something like a \$65-billion budget, this reinvestment in education had the net effect to the average kid in an Ontario school of restoring something like \$14 per kid into the classroom, versus the circumstance in Toronto, where something like \$1,800 per pupil has been cut out of classroom education. They chip in 14 bucks and expect us to stand up and applaud in lockstep with the messaging that all of them are all so excited about.

Against the backdrop of that minor reinvestment, the city of Toronto school board, which grapples with challenges that many other school boards do not have to face, continues to struggle with the challenge of finding additional cuts of something like \$500 per student, cuts that will hit right at the heart of the matter, which is classroom education. A shameful circumstance, because they continue to be committed to \$2.2 billion in tax cuts to our corporations because the Ernie Eves government

continues to think that Ontario should be competing, that we should be in a race to the bottom with the state of Alabama. I reject that. That's not the kind of province I want to be part of.

With respect to health care, my citizens in Toronto Centre-Rosedale continue to struggle with a government that has been so slow—the Minister of Health is here. He has been so slow in living up to the directives of the Health Services Restructuring Commission. In 1996, they ripped the heart out of a community and they said, "We will close your hospital," the Wellesley Central Hospital. "We will force its amalgamation with St Michael's." Here we are, six years later, after an ambulatory care centre was promised, and we see a little bit of renovation going on, but no commitment from this government in terms of the program funding. The minister always talks nice when I ask him a question or when he's behind the stack here, and yet we see no progress on that file.

Recently we've had the circumstances where St Michael's, which is an enormously important health care provider in the city of Toronto and in my riding, has cut programs without notice and, frankly, without consideration for anything except living within the budget that the minister has provided. There is no consideration of what impact that's going to have on the people who require those services. I think that's a shameful predicament here in Ontario. We have money for private school tax vouchers. We have money to drive Ontario's corporate tax rates to competitive rates well below the state of Alabama; we're in a race to the bottom with them. We can give money back for that, but we can't provide adequate resources for education, health and housing. I think this is a shameful record on the part of the government opposite.

Other members in my caucus have done such an effective job this week. I've been so enormously proud of the way that we've exposed the fact that the government is flipping and flopping around like a fish that's been pulled from the sea and is lying on the dock, gasping its last breath, hoping to be thrown back into the water.

This issue of Hydro One is pathetic, a joke. It would require some computer program so sophisticated it's not yet been invented to figure out where these guys really are. It looks to me like it's a game of policy-making that is based on the principle of pin the tail on the donkey. They're in a blindfold and I'll leave it up to the people looking in to determine who's the real donkey over there.

**The Deputy Speaker:** It being pretty close to 6 of the clock, this House stands adjourned until Tuesday, May 21 at 1:30 pm.

*The House adjourned at 1758.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Hamilton East / -Est	Bountrogianni, Marie (L)
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton Mountain	Christopherson, David (ND)
	Levac, Dave (L)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Brant	Murdoch, Bill (PC)	Hastings-Frontenac- Lennox and Addington	
Bruce-Grey-Owen Sound	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Burlington	Martiniuk, Gerry (PC)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
	Hoy, Pat (L)	Kenora-Rainy River	Gerretsen, John (L)
Cambridge	Ruprecht, Tony (L)		Wettlaufer, Wayne (PC)
Chatham-Kent Essex	Caplan, David (L)	Kingston and the Islands / Kingston et les îles	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Davenport	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kitchener Centre / -Centre	Beaubien, Marcel (PC)
Don Valley East / -Est	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener-Waterloo	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Don Valley West / -Ouest	O'Toole, John R. (PC)	Lambton-Kent-Middlesex	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
	Colle, Mike (L)	Lanark-Carleton	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Dufferin-Peel- Wellington-Grey	Peters, Steve (L)	Leeds-Grenville	Wood, Bob (PC)
	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises		Mazzilli, Frank (PC)
Durham	Crozier, Bruce (L)	London North Centre / London-Centre-Nord	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Eglinton-Lawrence	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London West / -Ouest	
Elgin-Middlesex-London	Hastings, John (PC)	London-Fanshawe	
Erie-Lincoln	Kells, Morley (PC)	Markham	
	Lalonde, Jean-Marc (L)		
Essex			
Etobicoke Centre / -Centre			
Etobicoke North / -Nord			
Etobicoke-Lakeshore			
Glengarry-Prescott-Russell			

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	Vacant	Stormont-Dundas- Charlottenburgh	Clarry, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## TABLE DES MATIÈRES

**Jeudi 16 mai 2002**

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

<b>Loi de 2002 modifiant la Loi sur l'électricité (biens-fonds réservés aux couloirs de transport de l'électricité), projet de loi 13, <i>M. Sergio</i></b>	
Adoptée.....	144

<b>Loi de 2001 modifiant la Loi sur la protection des locataires (augmentations équitables des loyers), projet de loi 134, <i>M. Caplan</i></b>	
Rejetée .....	144

### **PREMIÈRE LECTURE**

<b>Loi de 2002 sur l'Autoroute Pierre Elliott Trudeau, projet de loi 21, <i>M. Lalonde</i></b>	
Adoptée.....	147
M. Lalonde .....	147

<b>Loi de 2002 modifiant la Loi sur les procureurs (ententes sur des honoraires conditionnels), projet de loi 25, <i>M. Bryant</i></b>	
Adoptée.....	147

### **DÉBAT SUR LE DISCOURS DU TRÔNE**

M. Lalonde .....	169
Débat présumé ajourné .....	184

### **AUTRES TRAVAUX**

<b>Semaine des soins infirmiers</b>	
M. Clement.....	150

# CONTENTS

Thursday 16 May 2002

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Electricity Amendment Act (Hydro Transmission Corridor Lands), 2002, Bill 13, Mr Sergio</b>	
Mr Sergio .....	127, 134
Mr Hampton .....	128
Mr Tascona .....	130
Mr Peters .....	131
Mr O'Toole .....	131
Mr Levac .....	132
Mr Wood .....	132
Mr Bradley .....	133
Mr Bryant .....	134
Agreed to .....	144
<b>Tenant Protection Amendment Act (Fairness in Rent Increases), 2001, Bill 134, Mr Caplan</b>	
Mr Caplan .....	135, 143
Mr Bisson .....	136
Mr Tascona .....	136
Mr Bryant .....	137
Mr Marchese .....	138
Mr O'Toole .....	139
Mr Bradley .....	140
Mr Prue .....	140
Mr Gilchrist .....	141
Mr Smitherman .....	142
Negated .....	144

## MEMBERS' STATEMENTS

<b>Special education</b>	
Mr Conway .....	144
<b>Halton citizens</b>	
Mr Chudleigh .....	144
<b>Education issues</b>	
Ms Di Cocco .....	145
<b>Ophthalmological health care</b>	
Mr Kormos .....	145
<b>Veronica Brenner</b>	
Mrs Munro .....	145
<b>Long-term care</b>	
Mr Gravelle .....	145
<b>Police Week</b>	
Ms Mushinski .....	146
<b>Ministry spending</b>	
Mr Smitherman .....	146
<b>Monique Hartin</b>	
Mr Stewart .....	146

## FIRST READINGS

<b>Pierre Elliott Trudeau Highway Act, 2002, Bill 21, Mr Lalonde</b>	
Agreed to .....	147
Mr Lalonde .....	147

## Solicitors Amendment Act (Contingency Fee Agreements), 2002, Bill 25, Mr Bryant

Agreed to .....	147
Mr Bryant .....	147

## MOTIONS

### Private members' public business

Mr Stockwell .....	148
Agreed to .....	148

## ORAL QUESTIONS

### Hydro One

Mr Phillips .....	153
Mr Eves .....	153, 154, 155, 156, 157
Mr Bryant .....	154
Mr Hampton .....	155
Mr Duncan .....	156
Mr Conway .....	157

### Competitive electricity market

Mr Hampton .....	154
Mr Eves .....	155

### Durham College

Mr O'Toole .....	156
Mrs Cunningham .....	156

### Organized crime

Mr Johnson .....	157
Mr Young .....	158

### Minimum wage

Mr Kormos .....	158
Mr Eves .....	158

### Primary care reform

Mrs Papatello .....	159
Mr Clement .....	159

### Federal airport security fees

Mr Klees .....	159
Mr Jackson .....	159

### Gasoline prices

Mr Crozier .....	160
Mrs Witmer .....	160

### Border security

Mr Miller .....	161
Mr DeFaria .....	161

### Education issues

Mr Martin .....	161
Mrs Witmer .....	161

### Assistance to farmers

Mr Peters .....	162
Mrs Johns .....	162

## PETITIONS

<b>Long-term-care facilities</b>	
Mr Bradley .....	163

## Hydro One

Mrs Dombrowsky .....	163
Mr Sergio .....	163
Mr Kennedy .....	163
Mr Lalonde .....	165
Mr Bradley .....	165

## Doctor shortage

Mrs Dombrowsky .....	164
----------------------	-----

## Automotive industry

Mr Bradley .....	164
------------------	-----

## Ambulance services

Mr Bradley .....	164
------------------	-----

## School closures

Mr Sergio .....	165
-----------------	-----

## Ontario disability support program

Mr Martin .....	165
-----------------	-----

## National child benefit supplement

Mr Martin .....	166
-----------------	-----

## THRONE SPEECH DEBATE

Mr Maves .....	166, 168
Mr Smitherman .....	167, 183
Mr Prue .....	167, 171, 176, 180
Mrs Marland .....	168, 177
Mr Lalonde .....	168, 169
Mrs Papatello .....	170, 173
Mr Gill .....	172, 176, 179, 181
Mr Duncan .....	172
Mr Martin .....	172, 173, 177
Mr Bradley .....	176
Mrs Elliott .....	177
Mr Phillips .....	180
Mr Dunlop .....	181
Mr Sorbara .....	181
Mr Bryant .....	182
Debate deemed adjourned .....	184

## OTHER BUSINESS

### Opposition day motions

The Speaker .....	146
-------------------	-----

### Visitors

Mr Peters .....	147
Mr Sergio .....	147

### Harry Worton

Mrs Elliott .....	148
Mr Conway .....	148
Mr Bisson .....	149

### Nursing Week

Mr Clement .....	150
Mrs Papatello .....	151
Ms Martel .....	152

### Business of the House

Mr Stockwell .....	163
--------------------	-----

Continued overleaf



CA20N  
X1  
D23



**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 21 May 2002**

**Mardi 21 mai 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SCHOOL SAFETY

**Mr Dominic Agostino (Hamilton East):** I rise today to bring to the attention of the House a serious incident that occurred at a high school in my riding of Hamilton East, and also to ask this government to act on potential solutions that could avoid these incidents in the future.

On Thursday, two female students, aged 17 and 19, were sexually assaulted inside Delta high school in Hamilton. The alleged intruder was a 20-year-old male who walked into the school undetected.

Delta is an old school. It's 77 years old and has 27 entrances and exits. It's a school for which Dalton McGuinty's plan for dealing with safety in schools and video surveillance cameras would work perfectly. Had cameras been available in this and other schools, this type of incident could be avoided.

Chris Murray, the chair of the school parent council, and Dave Hutton, the principal of Delta high school, have both come out and called upon this government and the board to install video surveillance cameras in that school.

We have seen incidents in Toronto, we have seen incidents across Ontario, we have seen this very serious incident in Hamilton. The need is clear: our schools need help. School boards can't afford it. Many schools only have part-time secretaries or part-time principals, which makes it even harder for them to detect intruders.

The plan that Dalton McGuinty has outlined, which would involve video surveillance cameras in schools where the schools need and request them, would go a long way toward detecting some of these intruders and protecting the safety and the well-being of our students. I think we all agree with that goal. I would urge this government to move immediately to implement that plan and give the school boards the funding to install video surveillance cameras where needed.

#### BOWMANVILLE MAPLE FESTIVAL

**Mr John O'Toole (Durham):** It's my privilege to share with the House a very successful event on May 4, the Maple Festival in Bowmanville.

The Bowmanville Business Improvement Area Association's Maple Festival has become a spring tradition. It

attracts not only local families, but also visitors from across Durham region and beyond. It's not just about flapjacks and sausages served outdoors, smothered in maple syrup with all the trimmings, although I can assure you that is reason enough to attend the Maplefest. But there's a lot more. Bowmanville's main street was closed for the day so that you could enjoy a jazz festival and children's performances, plus an extensive display of hobbies and crafts, as well as booths from community organizations.

I'd like to congratulate Ron Hooper, chair of the Bowmanville Business Improvement Area Association. I'd also like to congratulate BIA directors Edgar Lucas, Lori Allin, Brian Purdy, Jamie Kennedy, Justin Barry, Michael Sullivan and, of course, municipal council representative Jim Schell. I would be remiss if I did not mention the BIA manager, a tradition, Garth Gilpin, and his capable stand-in, Harvey Webster.

Also, I'd like to recognize volunteers like Rick and Barb Patterson. These are just a few of the local folks who have made it a great place to live and enjoy a week-end with your family.

One thing that hasn't changed in Bowmanville is its pride in the history of the town. After over 150 years, it's still the heart of the community of Clarington, and that's due to the commitments of the downtown business people and those who support events such as Maplefest. The same could be said for each of our downtowns in Durham riding generally. It's my privilege to represent this area and to keep the House informed of these many special events in my riding on a regular basis.

#### HYDRO CORRIDOR LANDS

**Mr Mario Sergio (York West):** Last Thursday in this House the Conservative government was handed the opportunity to save and protect the hydro corridor lands that criss-cross our city, the GTA and our province. The Tory members voted in favour of my private member's bill, the hydro transmission corridor lands Bill 13. Then the government immediately killed the bill. This mean-spirited government can't have it both ways. On the one hand, they claim they are acting in the interests of the public, but given the chance, they put this most valuable public resource at risk.

In failing to make a definite commitment on both Hydro One and the hydro corridor lands, the Premier is sending a clear message that both are to be privatized and destined to fall into private hands. What a grave mistake.

The corridor lands are of paramount importance for Ontario's present and future transportation needs, rapid transit, recreation use and open green spaces.

I want to remind the Premier today to hold on to this precious public resource, for once it has gone into private hands, the public will never get it back. It is my call to the Premier not to privatize Hydro One and definitely not to sell or privatize the hydro corridor lands.

#### PONTIAN COMMUNITY

**Mr Michael Prue (Beaches-East York):** It is my honour to stand today and to speak of a group in my community, the Pontian community, some of whom are here in the gallery today. For those who may not be aware, the Pontian community is a group that traces its ancestry to an ancestral land called the Pontus, which is in modern-day Turkey.

Between the years 1914 and 1923, there were many disturbances there, and many of the Pontians were forced to flee for their lives, settling first in Greece and most recently in Canada. They have flourished in this community. They have done wonderful work.

I rise today to talk about their continuing campaign to inform the world of the atrocities and what was committed in that homeland between 1914 and 1923. On Sunday, there was a solemn gathering in East York, where they met at the only monument they have in Canada. They were there to remember the time of sacrifice and sorrow of their grandfathers, their grandmothers, their great-grandfathers and the fact that they continue today throughout the world to talk about this time and to get people to understand it.

We have heard many times over the years of other atrocities committed around the world which are much better documented and which people understand and accept. The Pontian community is here today to try to get the world to understand about what happened to them and hopefully one day to have the world understand their plight.

#### MEMBER FOR NIPISSING

**Mr Norm Miller (Parry Sound-Muskoka):** It's with great pleasure today that I rise to welcome a special visitor to this House: the new member of provincial Parliament for Nipissing, Mr Allan McDonald, who is over in the members' gallery.

Al was elected on May 2, and I know he's looking forward to getting to work for his constituents. As a fellow northern businessman, I am very pleased to see him joining our government in working for economic prosperity across this great province and particularly in northern Ontario.

As the former deputy mayor of North Bay and a member of the city's economic development commission, Al is no stranger to the need for economic activity in the north and the special challenges faced by northern Ontario.

Al has been a proud and enthusiastic booster of North Bay, and together with his 20 years' business experience he will be a real asset to this government.

I'm looking forward to working with MPP Al McDonald in promoting the north as a prime location to do business, creating employment and prosperity in northern regions of this province. I can say it's been a real pleasure to have campaigned with him and to learn of all his great community experience and many organizations he's been involved with. I'd like to welcome Avalanche Al here to the House.

1340

#### HIGH SCHOOL GRADUATION DIPLOMAS

**Mr Rick Bartolucci (Sudbury):** After being treated as Tory experiments for educational reform and massive funding cuts for the last five years, Ontario's graduating high school students have now, once again, been given a severe blow: they will not receive their graduation diplomas on grad night.

After five years of no textbooks because of Tory ideology, after five years of limited extracurricular activities because this Tory government decided that they wanted to demean our teachers, after five years of overcrowded classrooms because of massive funding cuts and after five years of upheaval in the high school curriculum, should it be any surprise to any of us in the House or to Ontarians that these graduating high school students will not receive a diploma this year?

In fact, a directive from the Ministry of Education information management branch issued on May 19 states: "The ministry has been unable to print diplomas and certificates and distribute them to schools. Diplomas for June graduates signed by Minister Elizabeth Witmer will be distributed to schools the end of August or early September 2002."

With all your resources, I say to the government across the way, ensure that our graduating students for once graduate with honour, with distinction. Make sure they have their high school diplomas.

#### MARGARET LYON

**Mr Bart Maves (Niagara Falls):** I am sad today to inform the House of the passing away of a dear friend in Niagara Falls, Mrs Margaret Lyon. Marg died peacefully with her husband Harry at her side on Thursday, May 9. My deepest sympathies go out to Marg's daughter Kimberley and her husband Ron Gibson. Marg will also be sadly missed by her beautiful granddaughter Kaitlin Margaret.

Marg is survived by her sister Sarah Muirhead, nephew Brian Muirhead and niece Margaret McLean in Scotland.

At 76 years of age, Marg was an active member of the community. She was a lifelong, spirited member of the Progressive Conservative Party and a proud, active member of the Niagara Falls Curling Club. She was also a



past president of the Niagara Women's Club and served on several other charitable organizations.

As a member of the Progressive Conservative Party, Marg served on both federal and provincial executives for many years. Every campaign that the Conservative Party has had in the past 40 years has had her input—lots of her input.

She recently became very well known for running our riding's Breakfasts with Bart. Every few months I would ask a colleague to come down to the riding to meet with members of the community, and Marg would do the rest. You could always count on Marg to pull off a successful event. Other MPPs now hold similar events in their ridings and have often joked about borrowing Marg for her expertise to help organize them.

Margaret Lyon will be fondly remembered by her many dear friends and family in our community. Her memory we shall always hold dear.

### EDUCATION FUNDING

**Mr Gerard Kennedy (Parkdale-High Park):** I rise today to speak on behalf of the people of Ontario, whose school boards, on behalf of students, will be receiving notification from this government about whether or not the government is actually interested in public education. Sadly, as each one of them opened up their computer file on Friday they found out the answer. The answer is that this government has put its priorities where it really matters to them: this year this government will give \$1,400 more to every private school student in this province. Every person in a private institution will receive \$1,400 of public money, of taxpayer funds, courtesy of this government, for absolutely no requirement in return. This government has decided that that is their priority.

But when it comes to public schools instead, they have shown us by contrast how little respect, how little commitment they have to the ideal of providing a decent education for everyone in this province. When you shake out the announcement, what many of those boards are finding out on behalf of their students is that the net increase after inflation in enrolment is \$14 per student in the public system.

The members opposite have failed to fight for their constituents, for their special-needs students, for the double cohort students, for the students who have trouble with the new curriculum and for the kids who can't wait for this government to change, who needed them to show some indication of priority. Instead, we find out that this government has 100 times the appreciation, 100 times the regard for private school students than it does for those for whom they have direct responsibility in public education.

### GEORGINA AWARDS OF EXCELLENCE

**Mrs Julia Munro (York North):** I rise today to talk about the Georgina Awards of Excellence. This is an award system that was established three years ago and it

recognized the importance of businesses and the contribution they make in our own community.

It's sponsored by the chamber and by the town. It was designed specifically for recognizing the kind of work and contribution that individual businesses make to our communities. They are examined on the basis of their overall proficiency in providing service to their customers as well as their contribution to the town as a whole.

The various categories include both small business and large business. There is also a category that deals with service delivery and, finally, agribusiness. People don't recognize how important agribusiness is, and this gives us the opportunity to recognize both large and small agribusiness.

The importance of this recognition I think has earned the respect of members within the community as each year more and more people have been nominated for these awards. I want to ask all members to wait until May 29, when the award winners will be announced.

### VISITORS

**The Speaker (Hon Gary Carr):** Just before we continue on, we have in the Speaker's gallery a former MPP, Mr David Warner, who was the member for Scarborough-Ellesmere in the 31st, 33rd and 35th Parliaments. Also, of course, Mr Warner was the Speaker from 1990 to 1995. Please join me in welcoming our honoured colleague.

I offered Mr Warner the opportunity to take question period today but he declined, so he will be watching from up there. I wish I had been better behaved when I was a member.

We also have today in the Speaker's gallery Mr Nikos Papadopoulos, who is a member of the Swedish Parliament, and he is joined by his son. Please join me in welcoming our honoured guest.

### INTRODUCTION OF BILLS

#### VICTIMS OF IDENTITY THEFT ACT, 2002

#### LOI DE 2002 SUR LES VICTIMES DE VOL D'IDENTITÉ

Mr Bryant moved first reading of the following bill:

Bill 26, An Act to provide civil remedies for the victims of identity theft / Projet de loi 26, Loi prévoyant des recours civils pour les victimes de vol d'identité.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Michael Bryant (St Paul's):** The bill provides that a person may apply to the Deputy Attorney General for the issuance of a certificate establishing that they have been a victim of identity theft. The certificate shall

contain such directions as are necessary to correct personal information held by public sector organizations, financial institutions and credit-reporting agencies. The certificate may be issued even if there is no conviction of a person for identity theft.

The bill also provides that a person may bring an action for damages against the perpetrator of identity theft and against financial institutions and consumer-reporting agencies that knowingly or recklessly accept personal information acquired by identity theft or, without lawful excuse, fail to take corrective action after a certificate has been filed with them.

1350

### LEGISLATIVE PAGES

**Mr Ernie Parsons (Prince Edward-Hastings):** On a point of order, Mr Speaker: With your earlier welcoming announcements, I would like to share with the House that my riding has always very strongly supported this Legislature through having a page present. An example of that is Melyssa Kerr, from Belleville, who is currently a page here.

I would also like to recognize and welcome Laura Chapman, in the members' gallery, who was a page here 23 years ago and who has some photographs showing a much younger Sean Conway, Jim Bradley and Norm Sterling.

I would also like to introduce to the Legislature, sitting to her immediate right, Don Shea and his wife, Marg, from Belleville. Don was a page here exactly 50 years ago, at a time when they were here for an entire year. He has with him his autograph book, signed by the Premier at that time, Leslie Frost, although in the background you can still see Sean Conway. I would like the House to extend a welcome to them today.

### MOTIONS

#### COMMITTEE MEMBERSHIP

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I move that the following amendments be made to the membership of certain committees: Mr Chudleigh replaces Mr Wettlaufer on the standing committee on estimates; Ms Mushinski replaces Mr Ouellette on the standing committee on the Legislative Assembly; Mr Wettlaufer replaces Mr Ouellette on the standing committee on government agencies; Mr Sampson replaces Mr Hardeman on the standing committee on finance and economic affairs; Mr Hardeman replaces Mrs Molinari on the standing committee on justice and social policy; and Mr Stewart replaces Mr Gill on the standing committee on public accounts.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Baird:** I move that, notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: that Mr Christopherson and Mr Hampton exchange places in order of precedence; and that, notwithstanding standing order 96(g), notice for ballot item 44 now standing in the name of Mr Hampton be waived.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

#### VISITEUSES

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Monsieur le Président, j'aimerais souligner la présence dans la galerie des députés la maman et la grand-maman de Nicolas DesForges, un page du comté d'Ottawa-Vanier. Alors, bienvenue à Queen's Park.

#### ROSS MACKENZIE WHICHER

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak a few minutes on the passing of Ross Mackenzie Whicher.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Mr Murdoch:** I rise today on behalf of the government to join all members of the Ontario Legislature in recognizing the passing of an esteemed former member of this assembly and a friend of mine, Ross Mackenzie Whicher.

Ross passed away in Wiarton, Ontario, on Friday, April 19, 2002, at the age of 84. Born and raised in Colpoy's Bay, Ross served five years overseas while serving with the 4th anti-tank regiment. Following the war, Ross came home to open the Wiarton Dairy, which remained a popular and successful business for decades.

Ross was the popular mayor of Wiarton from 1953 to 1955. He was first elected in 1955 to the Ontario Legislature as a representative for Bruce county and was re-elected in 1959 and again in 1963.

As financial critic, he was always chastising the government for overspending. Ross used to joke about how much he enjoyed his years here in Toronto, especially when he was always asked by the Conservatives to join their side. That was Ross. He was in every way a public servant who won the respect of his peers, no matter their political stripe.

Having served as a member of provincial Parliament for 12 years, Ross won the 1968 election to become Bruce's federal member of Parliament and was re-elected in 1972. Ross served Bruce for over 20 years, running in



and winning seven elections until his retirement in 1974. As Ross said, "It has been a great life, and for the opportunity that has been mine, I am most grateful."

He was proud of his riding and championed it, always boasting of its place as a great tourist attraction, a great rural area with a quality of life that was unsurpassed. Ross was proud to represent its people. Ross always took the time to listen. He had a mind like a steel trap and a rapport with people that reassured them he was listening and, more importantly, that he understood. Murray Gaunt, MPP for Huron-Bruce for 18 years, said of Ross, "He was a people person. No problem was too small, and that's why people elected him year after year. He was a person very committed to his riding, and I think people sensed that."

I honour him here today as a good legislator and an astute politician. He will be remembered for his outstanding record of public service in our community, the province and our country.

Ross was also a comrade of mine, as he was in the legion. He was my brother in the Masonic Lodge and, most importantly, Ross was my friend. We had many times in his home when we would talk about things, and I want to tell you a little story about Ross.

He had in his room a chair he sat in when he sat in Parliament in Ottawa. As you know, a few years ago we redecorated this place and got rid of those chairs that were so uncomfortable. Ross and I were talking and he wondered if he could get his old chair. We made a deal here and I delivered it to him at his place. He was really excited the day he got his chair from here. When we went up to his room, Ross would say, "I've got three chairs in my room now. I have the one for the retired politician from Ottawa and the one for the retired politician from the provincial government. I have that chair over there for present-day politicians. You sit there, Bill." It turned out that was the commode. That was Ross's little joke on me. He said, "That's where the present-day politicians will sit."

As I say, I had many great talks with Ross, and I certainly will miss him. I want my condolences from this Parliament to go out to his wife and family. He will be greatly remembered.

**Mr James J. Bradley (St Catharines):** I'm pleased, on behalf of the Liberal caucus and Leader Dalton McGuinty and former members of the Legislature, to pay tribute to Ross Whicher for his many years of service in this House, but also, we can recall, at the municipal and federal levels. He was one of those unique people who actually served at three different levels.

When I want to recall somebody who's been in the Legislature before most of us entered the Legislature, I go to the ultimate source, the dean of the press gallery, none other than Eric Dowd, who has files on everyone who has served for years and years. Eric is our resident historian and always has a story or two to tell about these individuals.

One of the things that was noted about Ross Whicher was that he was a very businesslike person in an era in this House when things were perhaps more businesslike

than they are today, much to the chagrin, no doubt, of the present Speaker. But he was also a person—and we paid tribute to some of these individuals recently who have passed on—who was very tied to his constituency, whose roots were in his constituency and whose primary purpose for being in the Legislature was in fact to deal with problems which were unique to his constituency and which his constituency had in common with the rest of the province.

Also, you would find that he was not an ideological person in terms of his approach to politics. I think today we all observe that politics seems to be more ideological. Although Ross, as Bill Murdoch has noted, was an ardent Liberal, he had among his close personal friends and greater group of friends a number of people who were not affiliated with the Liberal Party and were in fact Tory partisans, and that prompted the government of the day, from time to time, to urge him to cross the floor.

He was also interested in some issues that keep recurring. I was looking at one of his speeches. I was going through Hansard, and fortunately we still have these. He was talking about, believe it or not, Hydro and as it was then called, the Hydro-Electric Power Commission. He was noting that it allows a very obvious overcharge of the citizens of today for the benefit of those tomorrow. So he was, perhaps, before his time in dealing with what we would now call Ontario Hydro, then called the Hydro-Electric Power Commission.

**1400**

He was also an individual, much like many of the people in the House—we try to follow his example, no doubt—who spoke only when it was necessary to speak. He didn't get up in the Legislature to give a speech simply for the sake of giving a speech, as perhaps some might be prone to do. Instead, he was an individual who spoke when he felt it was important.

He had an expertise, as people in his riding and legislators of the day knew, in the field of the work of the Provincial Auditor. I was reading through one of his speeches where he was asking questions about the use of government cars for personal purposes. Throughout history, people ask about this. But there he was, back in those days, asking these very questions and being concerned about all public accounts of the day.

To show he was non-partisan, he once said Leslie Frost was the finest Premier Ontario had ever had. He liked Les Frost and Les Frost's business approach to the Legislature, but also his personal friendships that he had with all members of the House.

He also served at a time, for most of his time, perhaps for all of his time, in a situation where there were no constituency offices. Today, those of us who are members of the Legislature rely heavily upon our staff in the constituency office and here at Queen's Park in the provincial Parliament building. But in those days, people had to hold court—as we've noted with others who have passed on from that era—in their own homes or had to go to the homes of individuals or have town hall meetings. So it was a different era of politics in those days. The proceedings of the House were not televised, so the

importance of communicating one's message on a personal basis to people in the constituency was even more important than it is today.

I note as well that he started out—and this is true today to a certain extent, but I think much more so in those days—in municipal politics, getting that rounding, getting the level of the politics which is closest to the people themselves, getting grounding in that area, becoming aware of what the problems were in the constituency, and then reflecting those problems to the provincial Legislature and the federal House of Commons.

I certainly join with others in paying tribute to Ross Whicher. He is one who will be remembered, in Bruce county in particular, for what he has done. He is one who made many friends amongst all members of the House during his time as a member of the Ontario Legislature. Certainly, we all regret his passing, which is, for all of us in life, one of the inevitable things that will happen to us. We regret that. We send along our very best wishes and our condolences to the family. We know that Ontario, in particular Bruce county, was a better place because of Ross Whicher being a member of this Legislature and serving in so many capacities the people he represented in that part of our province.

**Ms Marilyn Churley (Toronto-Danforth):** It's an honour to stand among my colleagues today to pay tribute to the life and work of the former member who made his maiden speech in this House almost 50 years ago.

Ross Mackenzie Whicher was born in 1918 in Wiarton, Ontario, in what was then called the riding of Bruce. Though we as parliamentarians take special interest in his work at Queen's Park, there are many other aspects of Mr Whicher's life that deserve mention. I note that some of the other members mentioned those.

For example, as the owner of a dairy, he was very involved in the farming community in his riding throughout his life. During the Second World War, Mr Whicher served in the 4th anti-tank regiment in Europe, an experience from which he would frequently draw while addressing this very chamber.

Upon returning to his home at the conclusion of the war, Mr Whicher decided to throw his hat into the ring of electoral politics. He became mayor of Wiarton in 1953 and served in that position until 1955.

It was the philosopher Hannah Arendt who once said that through our speech do we reveal our true nature to the world, and thus by our words do we provide posterity with a sort of lasting impression. Mr Whicher was one who chose his words carefully, I've been told, demonstrating his awareness of their impact. In his maiden speech to the House, he said, "I realize only too well that fundamentally all of us are here in this Parliament for exactly the same purpose—to attempt to leave a little better place for our children and our grandchildren, with better living conditions and an easier way of life." I think we can all safely say that Mr Whicher did indeed do that in his time.

Mr Whicher deeply appreciated his role in the socio-political community of this province and represented his

constituents with great pride and determination. He was an honest man who possessed an impressive intellect and a sharp wit. He used to say he admired the advertising campaign of Red Rose tea as it was short and to the point, that campaign being, "Red Rose tea is good tea." "Likewise," he quipped, "The people of Bruce are good people; no more need be said."

I've heard it said that for every one of his speeches recorded in Hansard, he recorded three times as many interjections. Colleagues of his spoke with a spark in their eye about how thoroughly Mr Whicher enjoyed the playful exchange of ideas across the floor. It's no surprise I've been told he was one of the best. Once during debate Premier Frost accused Mr Whicher's comments of being prejudiced. To this he quickly replied, "I say to the Premier, since he is on his feet about half the time, I suggest he has as much prejudice as the rest of the honourable members put together."

Though Mr Whicher worked tirelessly on many different subjects, he focused especially on the concerns of the constituents he represented. Many times in the Legislature he brought forward their concerns about education, health care and farming. He took great interest in the relationship between the province and municipalities, and yes, as has been mentioned, Mr Whicher even spoke about the Ontario Hydro commission from time to time.

It is humbling in a sense when we look back on the career of Ross Whicher. In many ways, his concerns then continue to be our concerns now, reminding each of us of our place in the grand scheme of things. As we pass along our most sincere condolences to the entire Whicher family, may we assure them as well that in remembering the life of Mr Whicher we are reminded of the value of acting as he did: with honesty, with respect and with a vision of how we may contribute to the benefit of those here now as well as those yet to come.

**The Speaker:** I thank the honourable members for their kind words, and I will ensure that copies of the Hansard are forwarded to the family.

**Mr Dalton McGuinty (Leader of the Opposition):** On a point of order, Mr Speaker: I seek unanimous consent to move and pass the following motion without debate:

That the Ontario Legislative Assembly encourage our federal government to ratify the Kyoto agreement.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## ORAL QUESTIONS

### HOMELESSNESS

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is to the Premier. Today a video was released which captured the desperate living conditions of some of our homeless right here in Toronto. I watched it and I urge you to do the same, Premier. Let



me tell you what you are going to see: row upon row upon row of people sleeping so close together that they were in fact touching one another. I don't know how they can move about inside the basement room in which they were sleeping without tripping over each other; that's how little space was found between the floor mats.

1410

Premier, your government's housing policies are an abysmal failure. If you ever needed more evidence of that, this video provides it. My question to you is, what are you going to do for our most vulnerable, our homeless? These are people. These are our fathers, mothers, sisters, brothers. These are people in need of some basic accommodation. What are you going to do for these people, our homeless, some of our most vulnerable?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I would concur with the leader of the official opposition that the situation as depicted in the video is unacceptable, not just here in Toronto and in the province of Ontario but anywhere in this country of Canada in today's age. I think there is the spirit of co-operation among the municipal, provincial and federal levels of government now to deal with what is obviously a very important issue not only here in Toronto but across the country.

**Mr McGuinty:** These people are looking for more, and need more, than simply some kind of esoteric spirit of co-operation. They need better housing, and they need it now. They need mental health supports, and they need those now. These living conditions, as portrayed in the video, are not humane and they are not safe. Healthy people are going in there and they're coming out sick, because they're being exposed to diseases like scabies and tuberculosis, and lice.

A nurse tells us that these shelters violate the United Nations most basic requirements for refugee camps. I am embarrassed, as an Ontarian, to know that in my province there are people who are homeless living in those conditions. I hope you too, sir, as Premier, are embarrassed to know that in our province there are people, our homeless, who are living in those kinds of conditions. So I ask you again, on their behalf, what is it that you are going to do specifically for some of our most vulnerable, our homeless?

**Hon Mr Eves:** This is more than just a housing issue; this is, as the leader of the official opposition points out in his question, an issue that deals with mental health in some cases; it's an issue that deals with providing accommodation—

*Interjections.*

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** All the stuff that you cut, Ernie.

**The Speaker (Hon Gary Carr):** Sorry for the interruption. Premier?

**Hon Mr Eves:** I'm glad to see the member for Vaughan-King-Aurora is taking a totally non-partisan approach and doesn't want to play politics with a very serious issue in Ontario.

The province has several initiatives, obviously, that deal with homelessness.

**Interjection:** What?

**Hon Mr Eves:** Shelter allowances worth \$1.7 billion a year, to name one.

*Interjections.*

**Hon Mr Eves:** Excuse me.

**The Speaker:** Order. Premier.

**Hon Mr Eves:** We have increased the hostel program. Last year we spent over \$70 million with respect to the emergency hostel program. As you know, municipalities determine what services they will offer to homeless people, and the provincial and federal levels of government automatically pay the money that's required for the spaces determined by the municipality. But I do agree that there has to be a more concerted effort among all three levels of government to get to the root of the problem.

**Mr McGuinty:** Where were you, as finance minister, on this issue when you wielded your knife with wild abandon? That's what you did to the homeless of Ontario. This is your record, in which you can take a great deal of pride, Premier, when it comes to our homeless. You cut the welfare allowance by 22%. You've now frozen it for seven years straight. You have downloaded social housing on to municipalities, which simply do not have the financial wherewithal to carry out that responsibility. You have put in place rent decontrols. You have cut mental health services and you have closed six out of 10 of our psychiatric hospitals.

When it comes to ensuring that our large corporations have another \$2.2 billion in large tax breaks, we know exactly where you stand. You tell us you're going to get the money and you're going to make that work. But when it comes to our most vulnerable, our homeless today in Ontario, you can tell us nothing more than that somehow you are going to inspire governments to come together in some spirit of co-operation.

I ask you again, specifically, what are you going to do? We know what you're going to do for the large corporations. What are you going to do specifically for our most vulnerable, our homeless?

**Hon Mr Eves:** The leader of the official opposition seems to be confusing several issues. He's confusing tax reductions with lack of revenue when in fact reducing taxes has actually increased revenues in this province by some \$12 billion to \$15 billion a year.

We do in fact need a concerted effort among all three levels of government to deal with this issue. I understand that we are in the Ontario Legislature, but this is a problem that is not peculiar to the province of Ontario or to the city of Toronto; it is a problem that exists in many provinces and many large urban centres across this country.

I would concur with him that the conditions that are depicted in the video are unacceptable for Toronto, they are unacceptable for Ontario and they are unacceptable for anyplace in Canada.

## HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):**

My second question is to the Premier as well. Premier, there is an interesting contrast in the situation facing our homeless and the pay package given to your president and CEO at Hydro One, who's receiving more than \$2.2 million on an annual basis. Her golden parachute totals in excess of \$6 million. The board you appointed hired the president and CEO and also made the decision to ensure that she received \$175,000 as a car allowance and \$172,000 for vacation pay.

Premier, ultimately this is about you and your standards. I'm not sure if you had the opportunity during the course of the long weekend to talk to some Ontario families about this pay package and some of the challenges they have to grapple with, day in and day out.

But what I want to know from you, Premier, is, do you support this pay package? Could you not at least admit, sir, here and now, that there is something fundamentally wrong with a pay package of in excess of \$2 million, including \$175,000 for cars and \$172,000 for vacation pay?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** In fact this issue was dealt with in the Legislature on Thursday. I made the comment then that it was inappropriate, and I asked the Minister of Energy to look into the matter.

**Mr McGuinty:** Premier, asking the Minister of Energy to look into these gross expenditures is like asking Don Cherry to crack down on violence in hockey. This is the guy who said he never knew there were any rules forbidding requiring the public to pick up his bar tab expenditures. That's the guy that you would have us take confidence in in terms of investigating this matter.

What I want to know, more specifically, is about this \$175,000 for cars. Do you know how many families are out there struggling to get by in some minivans with 150,000 or 200,000 kilometres on them? What I want to know is whether you think it's right or wrong for the president and CEO of Hydro One to be given \$175,000 as a car allowance. By your standards, Premier, is that right or is it wrong?

**Hon Mr Eves:** Again today I say to the leader of the official opposition, I regard those amounts as being inappropriate, and I've asked the Minister of Energy to look into them.

**Mr McGuinty:** How could this happen? Have you asked yourself that question yet? How could this happen? The board at Hydro One is appointed by your government. The board then hires the president and CEO of Hydro One. Your board confirmed her pay package. Your board approved this pay package, Premier.

1420

One of the problems we've got to grapple with here is that your government has removed Hydro One from under the ambit of the freedom of information act. You are in fact a co-conspirator to keeping these matters silent and away from public eyes. You can't say that's a prob-

lem connected with Hydro One and that it's inappropriate. By shutting that avenue down to us, by shutting this down from public oversight, you in fact are co-conspiring.

Premier, this is not a matter that needs to be sent out to review. This is a matter that requires you to say, "Mea culpa. This will never, ever happen again. It is wrong, it is entirely inappropriate and I will do everything in my power to make sure this never, ever happens again."

**Hon Mr Eves:** We are looking into the matter; I have said that. Neither I nor anybody on this side of the House, nor anybody on that side of the House, for that matter, sits on the Hydro board. You surely don't expect the government to send a representative to monitor every single board decision taken at Hydro.

By the way, aren't you the one who wants to leave Hydro One the way it is? You think the board works just fine. You think it's working great.

**The Speaker (Hon Gary Carr):** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Since you put your government's cronies in charge of Hydro One, they've certainly done some outrageous things. First, the top four people over there get a \$13-million pay package. Now we discover that your cronies at Hydro One have agreed to a \$1-billion contract to purchase payroll and customer services from a company set up by Cap Gemini Ernst and Young, even though this new company has "not previously provided the extensive range of services covered by the agreement to any other electric utility company."

Premier, your cronies at Hydro One are involved in a \$1-billion gamble involving the people's hydroelectricity system with a company that's never provided the services before. Are you concerned about that, and what do you intend to do about it?

**Hon Mr Eves:** It is my understanding that the 900 employees who are part of this new company, as he describes it, are indeed Hydro One employees who have provided these services in the past. As I understand it, they will be providing the services to Hydro One in the future through the new company that they've contracted.

**Mr Hampton:** Premier, you ought to be concerned about the \$1 billion, but you ought to be concerned about something else as well. It works like this: Ernst and Young is the auditor for Hydro One. Cap Gemini Ernst and Young now provides consulting services to Hydro One. This is a lot like what happened in the United States with Enron, where the auditor couldn't keep straight whether they were auditing or whether they were providing Enron with business advice.

You may think this is all right, but yesterday in the United States, the Securities and Exchange Commission laid charges against Ernst and Young for creating virtually the same kind of business situation with a company there, virtually the same kind of situation as you have going on at Hydro One.

Premier, you're the investment banker. You're the one who ought to know that this should be looked at very, very carefully. If it's not good enough for the Securities



and Exchange Commission in the United States, why is it good enough for you?

**Hon Mr Eves:** I believe the leader of the third party is quite aware that the Ontario Securities Commission is looking into the matter. It is they who should be ruling on whether there is a conflict or not, and that is exactly what they are in the process of doing.

**Mr Hampton:** Premier, I'm quite interested in the securities and exchange part of it. It was I who wrote to the head of the Ontario Securities Commission, asking him to review it. But I'm also asking you because, you see, we're dealing with the over 11 million people in Ontario who now have to purchase their electricity from your cronies who inflate their own pay packages and then do \$1-billion contracts with companies that have no experience, no track record, have never delivered these services before. So I want to know, what are you going to do for the consumers of Ontario? We see what you're doing for your Bay Street friends. What are you going to do for the consumers of electricity in this province should this deal go bad, as the prospectus said it very well might?

**Hon Mr Eves:** Every time there's an incident that comes up the leader of the third party relates it to Enron in the United States and the Securities and Exchange Commission. As he points out, he himself has asked the Ontario Securities Commission to rule on the matter. They are looking into the matter. He talks about people who have had no experience providing these services when he knows full well, I would suspect, that the 900 people who will be providing the services are the same 900 who have been providing the services as employees of Hydro One in the past. They are the ones who have been hired by the new entity and they will be providing the services for the next 10 years through the contract, as I understand it.

**The Speaker:** New question, leader of the third party.

**Mr Hampton:** Again to the Premier: I think virtually everyone in the province is outraged to learn that the people you have put in charge at Hydro One since 1998 have awarded themselves what amount to \$13-million pay packages, when you include all the bonuses and all of the excesses. What's really amazing, though, is if you privatize Hydro One they get to walk away with \$13 million; if you decide not to privatize Hydro One, they get to walk away with \$13 million. These people take the consumers of Ontario, whether the door goes in or the door goes out. You've had five days to figure out what everyone else in Ontario knows, that this is outrageous, this is disgusting, this is greed. What are you going to do about this bloated executive salary payout?

**Hon Mr Eves:** The leader of the third party knows full well—he was here on Thursday—that the matter is being reviewed and investigated by the Minister of Energy, as it should be.

**Mr Hampton:** Premier, the people of Ontario found out about this five days ago, but you must have known about this a long time ago. It was under your watch as Minister of Finance that Hydro One was split off from

Ontario Hydro. It was under your watch that the so-called private sector rules were put in place. You got to pick your people to put in place at Hydro One. So you've known about this for a long time. We're told that you and members of your government reviewed the so-called prospectus which admits to all this information. So you've had a lot of time to do something about this. What have you done about it? What have you done to protect the interests of consumers in Ontario rather than adding to the inflated pay packages of your cronies at Hydro One?

**Hon Mr Eves:** They're not my cronies. To the leader of the third party, as I recall last week, you and the leader of the official opposition were arguing for the status quo at Hydro One: you loved the board, you wanted it to stay the same, you didn't want it changed, you didn't want private sector discipline brought to the board. And this week, when it suits your political purposes, now you want to turf the board: they're no good, you have to bring some private sector discipline to them. You can't have it both ways, Howard.

As a former Attorney General of this province, surely you should know above anybody else that this is a matter for the Ontario Securities Commission to look into. They rule on exactly these types of conflicts and I presume that you'll be happy to live with the ruling that the Ontario Securities Commission brings down.

## GREENHOUSE GAS EMISSIONS

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is to the Premier. First Mike Harris was for Kyoto and then he was against it. Could you tell us now, where does your government stand on this fundamentally important environmental policy issue?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I believe that my predecessor, Premier Harris, stated on several occasions, as indeed I have, that the province of Ontario is in favour of the Kyoto agreement, provided that there's a level playing field as we go forward.

1430

**Mr McGuinty:** Just a moment ago, Premier, were you not the guy who was lecturing the leader of the third party on trying to have it both ways? Were you not doing that, or am I mistaken? Within the last 60 seconds, you did that.

Premier, if you are truly committed to doing something about reducing greenhouse gas emissions, then here are some of the things you could do in a positive and concrete way: you could get into the business of funding public transit in a real and meaningful way; you could encourage renewable electricity generation in Ontario; you could phase out our coal-fired hydro plants; you could begin to promote energy conservation in Ontario; you could begin to promote the use of renewable fuels such as ethanol and biodiesel. Those are all things you could do, Premier.

The last time I checked, you were doing none of those things. Now, talk is cheap when it comes to these issues.

When is it, Premier, that you are actually going to do something in a real and concrete way, something that we could legitimately describe as "action" when it comes to reducing greenhouse gas emissions in Ontario?

**Hon Mr Eves:** We're doing every single one of those things that the leader of the official opposition talks about.

**The Speaker (Hon Gary Carr):** New question. I guess we go to the NDP now. The member for Beaches-East York. Sorry, I apologize; the next rotation was the Leader of the Opposition. The government misses it, they weren't ready, as one of the members was down. So the leader of the official opposition and then the NDP.

#### AUTOMOTIVE INDUSTRY

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question to the Premier. Premier, it's a fact, an undeniable fact, that during your seven-year reign as finance minister you took Ontario's auto industry for granted and that's now catching up with you.

Here are the facts. Of the 16 new assembly plants built or announced in North America since 1990, only one was located in Ontario. During that same period, they closed the GM van plant in Scarborough and they have announced the closure of a Ford assembly plant in Oakville and a DaimlerChrysler plant in Windsor. I'm sure you will understand, Premier, that when an assembly plant is shut down, the parts plants are sure to follow.

What specific actions—and I want to be able to legitimately describe those as "actions," Premier—were you taking to preserve and indeed enhance the over half-million direct and indirect jobs the auto sector brings to Ontario?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer the question to the Minister of Enterprise, Opportunity and Innovation.

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** As we discussed last week in this place, there have been some terrific steps forward in the automotive sector in Ontario even in the last two weeks. UBE opened the most sophisticated technological wheel-producing plant in the world in Sarnia, Ontario, last week. That will employ more than 100 people. It's an investment of \$180 million over time. They chose to invest in Ontario because of low taxes, because of an investment-friendly environment, a welcoming environment much heralded since 1995 by the work of the Conservative government in this province. That's just the first one.

Then Honda, in Alliston, in the riding of Jim Wilson, opened the line for the SUV Pilot. Again they chose to bring this new product to the province of Ontario. Then, two weeks ago yesterday, as a matter of fact, General Motors of Canada Ltd announced a third shift to build the Impala automobile at the Autoplex in Oshawa, a thousand—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up. Supplementary?

**Mr McGuinty:** I'm not going to argue, Minister, that there have been a few good-news stories, but they more than pale into insignificance as a result of the loss of 15,000 full-time jobs. That's what we're talking about here.

Here are three specific actions that you should be taking on this front. First of all, let's do more with respect to developing research. Let's do more to ensure that we have the necessary investment in research into fuel cells, for example. Let's get into the next generation of research for the next generation of locomotion.

Let's do more with respect to training. It's going to take more than simply your obsessive fixation with the lowest corporate taxes; it's going to take more than that. What we're hearing from the auto sector these days is that we need to do more to ensure that we've got the necessary skilled workers in place.

Finally, we need more skills retooling. Some people have lost their jobs and this government has done nothing with respect to ensuring that those people get back on their feet at the earliest possible opportunity.

What I put before you now, Minister, are three specific ideas. Will you act on any one of those ideas?

**Hon Mr Flaherty:** The automotive sector is a global industry; it's a highly competitive industry.

I met last week with Buzz Hargrove, the head of the Canadian Auto Workers union. The Canadian Auto Workers have put forward a very helpful paper and I commend it to the Leader of the Opposition, that he read the paper and see what's being recommended by the CAW. I've certainly read the paper in my capacity with responsibility for that sector.

Tomorrow we're hosting an automotive round table here in Toronto being attended by leaders in the assembly business, leaders in the parts business, academic experts from around the province of Ontario. We're co-operating with the federal government in developing a national auto strategy for Ontario and for Canada. These are steps forward. This is what we need to do to meet the challenge of growth in the automotive sector in Ontario and in Canada.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Consumer and Business Services. Minister, constituents in small towns in my riding have been asking me why they have to travel so far, sometimes an hour or more, to the nearest LCBO store to purchase a bottle of wine for family gatherings. Frankly, I agree with them. I think Ontarians in rural and small communities deserve more convenient access to beverage alcohol. I was so pleased, Minister, when I was allowed to visit an LCBO agency store just yesterday in Severn Falls that had opened up on the weekend and the business owner was so pleased with the response he had received from that community, which borders Parry



Sound-Muskoka and Simcoe North. Is there anything else you're doing, Mr Minister, to resolve this issue?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I appreciate the member for Simcoe North's question. He's a strong advocate for small and rural Ontario who wants to see expanded services from government and government agencies to his constituents. In fact, I've begun, under my predecessor Minister Sterling, an expansion of the agency stores across the province. By October we'll have 70 additional stores open in small and rural Ontario.

In fact, for Victoria Day weekend we had 13 new agency stores open in places like Eagle Lake and Turkey Point that will help bring more business to the small community stores, provide better access to rural Ontarians and to develop economic development opportunities in those small communities.

I want to commend the member for Simcoe North, who has been a very strong advocate for communities in his riding to receive these agency stores.

**Mr Dunlop:** These new stores are great news for communities in my riding and of course in many of our ridings across the province. You mentioned that these new outlets are placed in existing stores. I know my constituents will expect the same high standards as a regular LCBO outlet, such as product selection, excellent service and, most importantly, checks to ensure that minors are not accessing alcohol. Minister, what are you doing to ensure that agency stores follow the same high standards as regular LCBO outlets?

**Hon Mr Hudak:** We want to ensure that people purchasing alcohol through the LCBO agency stores are going to receive the same high level of service no matter what store they go to. We want to ensure that the high standards are there and that they have access to the wide array of products available at the LCBO or the Beer Store.

We also want to make sure that every participant in the program goes to the social responsibility training program of the LCBO to identify and prevent minors from buying alcohol. We also ensure that the alcohol is physically segregated from other products to prevent minors from accessing it.

We also want to make sure that there are great job opportunities and that the quality of service is strong, whether you're in a small town like Stevensville, Ontario—also getting a store—or in a larger city such as Toronto. I'm very pleased that the service is coming to at least three new communities in Simcoe North.

1440

## HOMELESSNESS

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. Mr Premier, this morning I attended a shocking news conference at Toronto city hall where people were packed in like sardines in a homeless shelter in conditions that would not even be tolerated in a United Nations refugee camp. You spoke earlier and you said that homelessness was a complex issue. Yes, it is,

but it has increased hugely since the election of Mike Harris and your government.

Outside of Trinity Church behind the Eaton Centre is a monument to the homeless, which lists all those 200-plus poor souls who have died on our streets since the 1970s. The overwhelming majority of them died between 1996 and 2002.

Mr Premier, you like to say that these have been good years. Perhaps they have, but not for the homeless. We need something dramatic to be done. We on this side are proposing that the lion's share of the land transfer tax be turned over to municipalities, some \$650 million, to build low-cost, affordable housing. Will you commit yourself here today to the same?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I appreciate that this is indeed a problem. The situation depicted in the video should not exist, not just in Toronto but in any community in this province or in this country.

Having said that, I don't believe his suggestion to remedy the situation is going to work. I believe that the three levels of government have to co-operate to deal with this situation that exists not just here in Toronto but in other communities across this country.

**Mr Prue:** Mr Premier, Ontario won't even match the federal government's pathetic effort on housing. Today, your Minister of Community, Family and Children's Services referred to these conditions, that is the homelessness and the video, and I quote, "They're certainly not Holiday Inns." The people in shelters can't even dream of a Holiday Inn. There has been a 21% reduction in shelter allowances under your government. There has been a 20% increase in rents in Toronto and in other cities as a result of rent decontrols brought about by your government.

You say you have a social conscience. Will you increase the shelter portion of social assistance so that these additional people do not swell the ranks of the homeless and make an already bad situation worse?

**Hon Mr Eves:** I refer this question to the Minister of Community, Family and Children's Services.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** To my colleague across the way in the opposition I again say, and echo my Premier's comments, that we are very concerned about this situation. We are concerned when people are living on the streets. It is an issue that is brought to the attention of all three levels of government. Co-operation must occur from all levels. It's complex and will only be solved when all three levels work together.

I want to assure my colleague across the way that we work very hard on this side to try and find solutions. It is complex. It's a mental health problem; it's a housing problem. We have been working with the federal government. I know my colleague the Minister of Municipal Affairs and Housing would like to respond as well in indicating how far we've gone. The city of Toronto receives \$74 million a year in support of homelessness from our ministry. Our commitment to finding solutions

to this very complex and troubling problem has never been greater.

### MINISTRY SPENDING

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is to the Premier. Over a 15-month period Chris Stockwell and a handful of staff racked up more than \$25,000 in restaurants and bars. That was a pattern of abuse. Week after week, night after night, Stockwell and his staff drank the bar closed on the public's tab. Some of that money is finally coming back to the public, but we have no idea if it's the full amount.

Chris Stockwell has been a minister since 1999, but all we know about so far are 15 months of those three years. Premier, will you commit today to do two things: first, will you ask the Provincial Auditor to determine how much Chris Stockwell should return to the public for publicly funded boozing since 1999, and will you agree today to enforce the rules you have established for your cabinet throughout your cabinet and outlaw once and for all these publicly funded booze-ups?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The minister came to me the very afternoon this question was asked in the House last week. He told me he would take the appropriate action to reimburse the taxpayers of Ontario for any amount in any expenses he had—and it included alcohol—and his staff would be doing the same. It is my understanding they have done so.

**Mr Smitherman:** The ooze of entitlement goes on on that side, Premier. If you knew anything from this morning's comments by the minister's spokesperson, you'd know they decided that the only amount they need to repay is that which fell between 12 am and 2 am. That's what they've determined to be repayment of the appropriate amount.

This is really just the tip of the iceberg for the Ernie Eves trough over there. You received \$78,000 in severance when you left this place. Less than a year later, you wander back in. While civil servants are expected to repay that, you have guarded your treasure rather aggressively.

What's good for the goose is good for the gander, Mr Premier. Despite the public outcry, you refuse to repay your severance. Mr Stockwell should pay back all of his bar tabs, and the Provincial Auditor should figure out what the exact amount is. You should agree to enforce the regulations that are there for all of your ministers, and you should pay back your severance. Will you?

**Hon Mr Eves:** Despite the fact that there is no requirement making me do so, the honourable member might be interested to know that on the morning of April 15, the morning I was sworn in as Premier, I wrote a cheque to the Legislative Assembly fund for \$78,007.

### ELDER ABUSE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is for the Attorney General. One issue that

comes up when I am going door to door is elder abuse. Seniors have the right to live with dignity and safety. This situation, which is faced by many older Ontarians, is deeply unsettling for all of us and something we all find abhorrent.

Recent studies have shown that between 4% and 10% of Ontario's seniors experience some form of abuse. That's 4% to 10% of our parents and grandparents who are being taken advantage of. Financial abuse is the most common type, where unscrupulous crooks and scam artists bilk unsuspecting, trusting seniors out of their savings.

However, physical and emotional abuse are also sadly part of this tragic reality. Clearly, there is a need for government to continue to act. What support is the government providing to seniors and community agencies to combat elder abuse?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the honourable member for raising this very important issue in the House. While I am on the subject of thank yous, let me also reference Minister Jackson, the current Minister of Tourism and Recreation, who was the minister responsible for seniors when this important initiative went forward. Frankly, we wouldn't have the elder abuse strategy we do today but for the fact that Minister Jackson made this a cause that he wouldn't say no to, and to which he wouldn't accept the answer no.

What we have in fact is an elder abuse strategy that is the first of its kind in North America. It is the envy of North America. We are getting inquiries from all over this continent. What we have done is identify elder abuse as a problem that needs attention from governments, from agencies and from individuals. Too often this is a silent crime, and with this strategy we will bring it out of the darkness and shed light upon it.

1450

**Mr Barrett:** Thank you, Minister. I appreciate what our government is doing. One of the most terrible things about elder abuse is the abuser is often a family member, someone trusted by the victim, someone who has control over their financial or personal affairs. Statistics Canada tells us that over two thirds of seniors who were physically abused reported they were assaulted by a family member.

One of the most tragic parts of elder abuse is that it often goes unnoticed and unreported, as you indicated. Seniors may have no one to turn to, especially when the person they should be relying on most often is the family member mistreating them.

I'd like to know how a recent action taken by our government ensures that this abuse will no longer occur in silence.

**Hon Mr Young:** The honourable member is quite right, and I appreciate the opportunity to speak to this again. Too often victims are too embarrassed or too afraid or simply don't have the wherewithal with which they would be able to speak to the abuse that they experience. The abuse comes in various forms. We all of



course acknowledge that physical abuse exists on occasion and should not be tolerated, but it is also mental abuse and financial abuse.

What we are going to do is spend almost \$5 million with this strategy to ensure that local officials and officials in the province and frankly family members are all able to identify the type of abuse that may occur. I think this is very much akin to what we as a society did a number of years ago dealing with domestic abuse. A crime is not always just a crime. Sometimes special attention, sometimes special resources are needed, and that is exactly what we are doing here.

### MULTICULTURALISM

**Mr Tony Ruprecht (Davenport):** I have a question to the Minister of Citizenship, and at the same time I want him to know that we have a fundamental disagreement with the way he's running his ministry, and his previous colleagues as well. But I want to congratulate him on his appointment.

Our late Prime Minister Pierre Elliott Trudeau left us a lasting legacy by proclaiming as policy the multicultural model of integration for all Canadians. In 1971 he followed that up by creating for the first time in our history a Ministry of Multiculturalism.

Since you are the new Ontario Minister of Citizenship and are responsible for multiculturalism, can you tell the people of Ontario how your view of multiculturalism is different from the vision of our late Prime Minister—or is it the same?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I thank the member for the question. As the member knows, I am very active in the diverse communities of Ontario. I'm sure the member has seen me on many occasions in the different communities. I can tell the member that our vision of Ontario is that Ontario is made up of diverse communities. We cherish that vision. We are proud of our multicultural heritage and we are proud of the contributions that people from different countries have made to Canada.

**Mr Ruprecht:** That goes a long way, but it didn't answer my question. As you know, one of the *raisons d'être* or the reasons for existence of your ministry is to supply services for newcomers, since we need them to be productive citizens. Why would you slash immigrant settlement services? Why would you gut English-language classes for newcomers? Why did you sit on your hands and watch silently while the other ministers cut the heart out of adult education programs and job training programs? And for God's sake, why did you let the Premier take \$35 million that he got from the federal government for newcomer services and fold it into general revenue?

I'm asking you now as the Minister of Citizenship to stand up and tell us, are you going to cut any more programs or are you now having a review that says to everyone in Ontario, "Yes, we will support you, we will have the money, we will produce the funds so we can

have English-language classes, we will have new programs for newcomers in Ontario"? Is that going to be a new policy? If it is, we salute you for it.

**Hon Mr DeFaria:** I would like to indicate to the member that Ontario welcomes the majority of immigrants to Canada. We welcome approximately 60% of all immigrants to Canada and we get from the federal government, the federal Liberals, only 40% of their funding to immigration.

My friend opposite should consult with his federal Liberal friends on exactly why Ontario doesn't get a fair share of the funding. Why is it that Quebec gets higher funding per immigrant from the federal government and we don't get that share? Why is it that the federal Liberals discriminate against Ontario when it comes to funding?

### LONG-TERM-CARE FACILITIES

**Mr Bert Johnson (Perth-Middlesex):** My question today is for the Associate Minister of Health and Long-Term Care. I know that many constituents in my riding of Perth-Middlesex have questions about the new placement regulations with respect to long-term-care facilities. I know these regulations came into effect on May 1 this year, but many of my constituents want to know why they were necessary and what purpose they serve. Could you please explain to all members of this House today, for the benefit of all their constituents, why our government has introduced these new placement regulations?

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I'd like to thank the hard-working member for Perth-Middlesex for this very important question. Our government has demonstrated that we are committed to providing quality sustainable long-term-care services in our province. We recognize that as the population ages, increased demands on long-term-care services will be felt. We want to ensure that patients who need long-term care are able to get it as quickly as possible. That's why we have worked with our partners in the long-term care and community care sectors to bring in new regulations that will shorten waiting lists for long-term-care facilities as well as speed up the application process for patients. Indeed, these changes mean that all bed vacancies in long-term-care facilities will be filled more quickly by persons who have the greatest need for facility care.

**Mr Johnson:** I want to thank the alert and effective Associate Minister of Health and Long-Term Care from Scarborough for his response. My constituents in Perth-Middlesex will be pleased to note that these regulations will ensure that services are available to them when they need them most.

Minister, can you please expand on these regulatory changes, what they mean and how they compare with other jurisdictions in Canada?

**Hon Mr Newman:** The changes in the placement regulations with respect to long-term-care facilities may be summarized as follows: establishment of a limit of

three long-term-care-facility waiting lists per patient; establishment of a one-offer policy for offers of admission to long-term-care facilities; extension of the bed-holding period in a long-term-care facility from three days to five days; mandatory reporting of all long-term-care facility bed vacancies to community care access centres; expansion of professionals permitted to complete nurse assessment forms to include registered nurses and nurse practitioners; an increase in the notification period from eight weeks to 16 weeks for planned voluntary closure of a long-term-care facility. There are new prioritization criteria for admission to long-term-care facilities, and there is also the provision of information to long-term-care-facility applicants about retirement homes and other alternatives.

These changes are consistent with other Canadian jurisdictions. For example, in Newfoundland, Manitoba, Quebec, Alberta and British Columbia, patients are requested to choose three long-term-care facilities.

#### ABORIGINAL HEALTH CARE

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of Community, Family and Children's Services. Today the Ontario Federation of Indian Friendship Centres released two excellent reports on aboriginal child poverty and on urban aboriginal youth sexual health and pregnancy. Some representatives from the organization—quite a few of them in fact—are here with us today. They are calling for your quick and urgent response as they try to break a damaging cycle that is hurting their young people. Minister, will you work with the OFIFC to develop, fund and implement policies that address the very serious concerns that are outlined in these reports today?

1500

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I thank my colleague across the way in the third party for the question. We believe that all children's best interests are a priority of this government. We do understand that social problems can be more complex in some of the aboriginal communities, especially in the remote areas. We know that we have a role in trying to help children in these communities grow up strong and healthy and we take that very seriously.

Our ministry spends approximately \$184 million each year on social services to the First Nations. This includes funding for a program called the aboriginal healing and wellness strategy, as well as social assistance, child welfare, child and family services and indeed child care. This \$33.3-million project provides a number of services, including funding to provide education and referral services and funding for crisis intervention. We have taken steps, we think, to assist in addressing the needs of aboriginal children. We continue to work to improve our programs and our services.

**Ms Churley:** Minister, I suggest you take a look at these reports. What they outline is that there are no adequate programs in existence now to deal with the

urban aboriginal youth and families who are mired in poverty and a vicious cycle that needs to be broken. They are telling you in these reports what some of the answers are. The voices of aboriginal young people are heard loud and clear in these reports. They know what needs to be done and they want to be involved in the solutions.

Minister, I'll ask you again: will you commit to mandating a joint ministerial committee involving your ministry, the Minister of Health and OFIFC to develop the framework and policies that address a health promotion strategy and a proactive approach to educate urban aboriginal youth about the lifelong effects of uninformed sexual activity? That's what these reports are about today.

**Hon Mrs Elliott:** I thank my colleague again. As I said, we take these issues very seriously. When new information is brought before me or my ministry staff, certainly we will read it and consider it and do our very best to respond.

But again, we have made a tremendous commitment toward the aboriginal healing and wellness strategy, a \$33-million commitment. It is community-based. It is driven by needs within the aboriginal community. Certainly, if the views in that community are different or if there's a different direction—it should be taken at the view of the aboriginal community—then we will consider those views.

#### LONG-TERM CARE

**Mrs Sandra Pupatello (Windsor West):** My question is for the Associate Minister of Health and Long-Term Care, who just spent some time speaking about the marvels of the long-term-care sector. My question for this minister is simple: I would like to know how many times a week this minister takes a bath.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I'd just ask how this question is relevant there. It has nothing to do with it.

**Mrs Pupatello:** I think it has a lot to do with it. All across Ontario today in the home care sector, which is under your purview, and in the long-term-care sector—these sectors have faced such cuts to services, and specifically to our seniors, our elderly and most vulnerable, that people in the home care sector receiving CCAC support, in-home service, are cut back to one bath a week. Many of our seniors in long-term-care facilities are getting maybe one bath every 10 days.

I would like to ask this minister if he thinks that's appropriate when Canadians, on average, 80% of them, take a shower every day. Does this minister think it's appropriate, given your inappropriate funding of the home care sector, that our elderly, our most vulnerable, should be getting a bath once a week?

**Hon Mr Newman:** Our government is committed to providing quality, sustainable long-term-care services in Ontario. Our primary concern is for the patients, and we take concerns expressed about compliance very seriously.

That's why I would encourage the member opposite to look at the Nursing Homes Act, subsection (56)(a) of



regulation 832, that says, and I hope the member is listening, "The nursing staff shall ensure that residents who are confined to a bed who are incontinent have a complete bath daily or more frequently where necessary to maintain cleanliness and that ambulant residents have a complete bath at least once a week." That's what it says.

I say to the member opposite that if there's a concern about compliance with respect to our legislation or regulations pertaining to long-term care, she can take one of the following actions: she can launch a complaint with the facility administration, she can launch a complaint with the local community care access centre or she can launch a complaint with the appropriate Ministry of Health and Long-Term Care regional office. All formal complaints will be followed up by a compliance adviser from the Ministry of Health and Long-Term Care.

**Mrs Pupatello:** On a point of order, Mr Speaker: I have to tell the Speaker that's a completely inappropriate answer. I'd like to register my dissatisfaction with the line taken with the appropriate papers.

**The Speaker (Hon Gary Carr):** The member can do that.

### HIGHWAY IMPROVEMENTS

**Mr John O'Toole (Durham):** My question is for my good friend the Minister of Transportation. As you will no doubt recall, I've been in touch with you and your predecessors on several occasions to bring attention to the need for noise barriers along the 401, specifically in the village of Newcastle.

Highway 401 was widened at Newcastle many years ago, and residents who live close to the highway have brought to my attention the need for noise barriers. I might add the village is growing rapidly, with more new subdivisions being built close to the 401. These noise barriers need your attention now more than ever, especially with summer approaching and families spending more time in their backyards.

Minister, could you kindly advise me of the ministry's plans for this noise abatement project and when the residents of Newcastle can look forward to seeing and hearing the barriers being installed?

**Hon Norman W. Sterling (Minister of Transportation):** Actually I travel down the 401 past Newcastle on many, many occasions going back to Lanark-Carleton. I'm pleased to inform the member that through his lobbying with the former minister, who did specifically inform me of lobbying by the member for Durham not only on this issue but on other issues as well, in fact my staff has gone out and actually reviewed the situation. We've worked up several design options for these noise barriers. For this particular noise barrier, we've recognized that this area is a very, very high priority.

I hope that in the very near future I'm going to be able to provide the member for Durham and his constituents with a construction date for a start to remedy this situation.

**Mr O'Toole:** Minister, it's certainly good news for me and for my residents. I'm a little disappointed that you're causing some of that noise on your frequent trips back to your riding.

I just want to bring to your attention one more area, now that you're in a good mood. I understand that noise abatement is part of a study of improvements needed on a stretch of Highway 35-115 in Orono. As you know, this is a very, very important section of the highway, not only for local commuters and travellers, but also for people heading to cottage country, like the city of Kawartha Lakes, which is the preferred destination, and also the city of Peterborough. Could you kindly provide an update of the ministry's schedule for making the necessary improvements on Highway 35-115, also in my great riding of Durham?

**Hon Mr Sterling:** Again I have the distinct pleasure of driving up that other way toward my riding when I'm going toward Perth at the other end of my riding of Lanark-Carleton. I go by Highway 7 and then up this particular area. I always want to go by Orono, because they still have their fairgrounds there. My eyes look off to the racetrack that's still there. I'm always interested in seeing if anything's going on in that particular area.

We have completed a study in that area because of the increasing traffic volumes. We've identified some safety improvements, including fully paved shoulders, rumble strips along the side, lengthening the interchange ramps and improved lighting. I can tell you that after completing our design, I will be pleased to report to the member and we can get along with the construction. I know this is very important to the member, and it's also important to me as I go back to my riding on a weekly basis.

**Mr Steve Gilchrist (Scarborough East):** On a point of order, Mr Speaker: I'd ask for unanimous consent to let Mr Sorbara indicate whether he's sent in his cheque or when he intends to do so.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard a no.

1510

### PETITIONS

#### POST-SECONDARY EDUCATION

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the secondary students of the city of Windsor believe that the new curriculum is poor because it makes classes too difficult and students are dropping out because their grades are going down;

"Whereas OAC has been taken away, leaving students to prepare themselves for post-secondary studies;

"Whereas students believing that adding grade 7 and 8 students to secondary schools will overcrowd schools;

"Whereas students believe that the French immersion program should continue;

"Whereas there is a lack of funding for textbooks and other important educational resources;

"Therefore we, the undersigned, demand that the Ernie Eves government review the policies adopted by Mike Harris and make the proper management and funding of education a priority."

This petition, done by students in my riding, gained over a thousand signatures in two days and I'm pleased to affix mine to it.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Ontario government abandoned the minimum requirement for 2.25 hours per day of nursing care for seniors in nursing homes; and

"Whereas the Ontario government's own study in January 2001 showed Ontario's long-term-care residents receive less nursing, bathing and general care than elderly people in comparable jurisdictions in Canada, the United States and Europe; and

"Whereas poor management of residents leads to excessive acute care hospital stays and the added strain on staffing levels in long-term-care facilities; and

"Whereas Ontario long-term-care residents now receive an average of only 2.04 hours of care per day, well below the level of care of 4.2 hours that even the state of Mississippi provides; and

"Whereas US studies have indicated that total nursing care hours for long-term-care residents should be in the range of 4.55 total hours of care per resident per day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the Ontario government to regulate a minimum requirement of at least 3.5 hours of care per resident per day."

This petition, signed by thousands of people, has been sent to me by John Van Beek of the SEIU. I'd like to thank him and his members for gathering that. I agree with them entirely.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a petition to the Legislative Assembly of Ontario, from many residents of my riding of Haldimand-Norfolk-Brant, organized by Retired Teachers of Ontario, District 12-Norfolk. It's titled, "Petition to Halt Deregulation of Electrical Energy in Ontario":

"Whereas electrical energy is an essential service used by 100% of all Ontario citizens; and

"Whereas the experience in deregulating and privatizing the generation and retailing of electrical energy in other jurisdictions has led to enormous problems, including huge increases in hydroelectricity rates;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop further progress and action on the deregulation of electrical energy."

I affix my signature to this petition.

#### PROFESSIONAL LEARNING

**Mr Monte Kwinter (York Centre):** "To the Legislative Assembly of Ontario:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teaching need, improves professional skills, improves student learning, is based on best-practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program in the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning;

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

It is signed by a number of my constituents and I've affixed my signature to it.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr David Christopherson (Hamilton West):** I have a petition signed by citizens from Hamilton and as far away as Scarborough, Mississauga and Oakville. It's addressed to the Legislative Assembly of Ontario.

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met, including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowances of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan);

"Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to



respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2002 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

I proudly add my name on behalf of my constituents in Hamilton West and my NDP colleagues.

### ABORTION

**Mr Gerry Martiniuk (Cambridge):** I have a petition from hundreds of Cambridge residents, which reads:

"To the Legislative Assembly of Ontario:

"Whereas on October 31, 2001, in a submission to the federal House of Commons finance committee, Canadian Abortion Rights Action League executive director Marilyn Wilson said that women who seek abortions do so for socio-economic reasons rather than a necessary medical procedure; and

"Whereas the results of a 1998 study using findings from 32 studies in 27 countries stated that worldwide the most commonly reported reason women cite for having an abortion is to postpone or stop child bearing—the second most common reason is socio-economic concerns; and

"Whereas the Ontario health system is overburdened and pregnancy is not a disease, injury or illness; and

"Whereas the province has the exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas the funding of induced abortion requires an estimated minimum of 25 million Ontario health dollars annually;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to deinsure therapeutic induced abortion."

As required by the rules of the House, I sign my name thereto.

### HYDRO ONE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the provincial Legislature of Ontario:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid to private operators; and

"Whereas Ontario Superior Court Judge Gans ruled it was illegal for the province to sell off Hydro One; and

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan; and

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers; and

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives; and

"Whereas selling Hydro One and the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government obey the law and immediately halt the sale or lease of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

This is signed by 131 constituents, primarily from the small community of Atikokan. I affix my signature in full agreement with their concerns.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have petitions that have been sent to me by R. Martino of Mississauga and Maycourt Children's Centre in Sault Ste Marie. They read as follows:

"Whereas an internal government document states that the Conservative government is considering the regulated child care budget by at least 40%;

"Whereas the same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"Whereas the Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Whereas Ontario is the only province which didn't spend a cent of last year's federal money on regulated child care; and

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

#### 1520

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

I agree with the petitioners and I have affixed my signature to this.

## EDUCATION FUNDING

**Mr Bert Johnson (Perth-Middlesex):** I have a petition I want to present on behalf of the hard-working, energetic and effective member for Oakville.

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, believe a strong, broadly based and fully funded public education system is the basis for a vital and prosperous Ontario;

"Whereas we, the undersigned, as residents and taxpayers of the province of Ontario, are gravely concerned regarding the present state of financial support for publicly funded schools in the province of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) We respectfully request that immediate actions be taken to review the current education funding model in order to eliminate shortfalls currently being experienced across the province.

"(2) We further respectfully request that this review be conducted in full and open consultation with concerned parent groups, teachers and school boards across the province.

"(3) We finally respectfully request that the upcoming provincial budget be structured so as to provide funds to remedy current shortfalls in classroom-based salaries and benefits, school operations and maintenance, transportation and special education funding as reported by school boards to the Ministry of Education."

I sign this.

## PROFESSIONAL LEARNING

**Mr Ernie Parsons (Prince Edward-Hastings):** I have a petition signed by hundreds of members of the Ontario English Catholic Teachers' Association.

"To the Legislative Assembly of Ontario:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning;

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

I will be adding my signature to this petition.

## COMPETITIVE ELECTRICITY MARKET

**The Acting Speaker (Mr Michael A. Brown):** Petitions, the member for Hamilton East—Hamilton West.

**Mr David Christopherson (Hamilton West):** It makes a big difference, Speaker.

A petition to the Legislative Assembly of Ontario:

"To the government of Ontario:

"We, the undersigned residents of Ontario, recognize that,

"(1) Electricity rates in deregulated, private, for-profit markets such as Alberta and California fluctuate wildly in supply and price and are much higher-priced than in comparable public power systems;

"(2) Deregulation in California caused more blackouts than Ontario has suffered from ice storms or other natural disasters while public power has protected us from market fluctuations in supply as well as price;

"(3) At-cost electricity has helped build and support Ontario's economy, while deregulation would destabilize the economy, with soaring rates, reduced reliability and increased production costs leading to plant closures, job loss and economic decline;

"(4) Soaring electricity rates would put a significant burden on school boards, hospitals, public transit and other public services which cannot afford to pay double for their electricity;

"(5) Seniors and other members of our communities on fixed incomes would be hard-hit by increasing rates, and the living standards of millions of Ontarians will be harmed;

"(6) Privatization will trigger NAFTA provisions, making it practically impossible to reverse this dangerous experiment and would cost us Canadian control over electricity;

"(7) Privatization, deregulation and loss of sovereignty would close the door on public accountability of the industry in regard to environmental safety and energy security concerns; and

"(8) An alternative exists in the form of a truly accountable, transparent and affordable publicly owned and controlled system operated at cost for the benefit of all Ontarians;

"Therefore, we demand that the Ontario government immediately halt the planned privatization, sell-off and deregulation of the public electricity system."

I agree with my constituents and I add my name to this petition.

## HORSE RIDING SAFETY

**Mr Frank Klees (Oak Ridges):** This petition comes to me from Gwyneth Rooke of Stouffville and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas an increasing number of Ontarians are turning to horseback riding as a recreational activity; and



"Whereas many of these inexperienced riders are children; and

"Whereas an unacceptable number of preventable injuries and fatalities have occurred while horseback riding;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend Bill 12, the Horse Riding Safety Act, 2001, by amending:

"(1) the definition of 'horse' to include those equines under 14.2 hands (considered to be ponies); and

"(2) the definition of 'horse riding establishment' to include all commercial stables."

**The Acting Speaker (Mr Michael A. Brown):** This concludes the time allocated for petitions.

#### NOTICE OF DISSATISFACTION

**The Acting Speaker (Mr Michael A. Brown):** I will just bring this to the attention of members. Pursuant to standing order 37(a), the member for Windsor West has given notice of her dissatisfaction with the answer to her question given by the Associate Minister of Health and Long-Term Care concerning home care. This matter will be debated at 6 pm this evening.

#### OPPOSITION DAY

##### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** I move the following:

"The Ontario Legislative Assembly calls on Ernie Eves to either keep his promise to take the sale of Hydro One 'off the table' by abandoning his plans to proceed with legislation which would enable the government to privatize Hydro One or call a general election on the issue."

Speaker, I am very pleased to have this opportunity to move a very important motion which speaks to a very important issue which we have been addressing during the past couple of weeks in this Legislature, since its resumption of sittings. The people of Ontario have a right to feel secure about their electricity, they have a right not to worry about huge price increases, and they have a right to expect that the people transmitting their power to them have their best interests, and nothing else, at heart.

Electricity is not just another commodity. People need it. They need it to run their businesses. They need it to heat their homes. They need it to feed their families. We need it to run our hospitals and our schools. People need to feel secure about all those things, and that is what we over here are fighting for. It's what everyone in this Legislature should be fighting for.

This is a motion that I would expect might get unanimous support in this House, and it certainly should. I know the NDP oppose the selling of Hydro One. It's

one of the few things on which we agree. As for my colleagues opposite, my motion would allow them to actually have an answer when people ask them what's going on with Hydro One. They could respond, depending on how this thing unfolds, either that it is off the table, as was promised by the Premier on the morning of the recent by-elections, or they could respond that the matter will be decided by voters at the time of the next provincial election. Imagine how liberating that would be for our friends opposite, to actually have an answer when it comes to the future of Hydro One.

As things stand now, when the members opposite are asked about Hydro One, they pretty well have to consult a calendar. If it's Tuesday, they tell us that we must be privatized. If it's Wednesday, they'll tell us that we are leasing and the status quo is definitely not on the table. Tomorrow, though, the status quo will definitely be on the table.

1530

The spectacle of the last few weeks has been an embarrassment for this government and frankly an embarrassment for the people of Ontario. They've had to watch their new Premier dreaming up policy on the fly while trying to keep his various ministers onside—not an easy feat when nobody knows what side the government itself happens to be on.

This motion should clear things up nicely for the Premier, for the energy minister and for the rest of the members opposite. Don't sell Hydro One. It's a bad idea. There is simply no good reason to sell off Hydro One. The energy minister himself admitted last week that there is no sound business case to support the sale of Hydro One.

I can't actually fathom contemplating a multi-billion dollar sale of anything without a good business case to back it up. We'll let that go for now, but the fact is not only is there no good reason to sell Hydro One, there are numerous very good reasons not to. For a start, it happens to be making money. I want to say that again, because it doesn't seem to register with the members opposite. Hydro One is making money.

What would possess the government, I mean any government, to sell an asset that generates 300 million some odd dollars every year? Furthermore, Hydro One is a natural public monopoly. There are no other transmission grids. There exist no other means by which we can convey electricity from the source where it is generated into our homes, into our businesses, into our schools, into our hospitals. There is just the one electricity highway. It's the only game in town.

This government should know that when you turn a natural public monopoly over to the private sector, it is the consumer who ultimately pays the price. Rates would go up. Rates could in fact go up dramatically and there is nothing consumers could do because, as I said, it's the only game in town.

You cannot talk about the sell-off of Hydro One and not think about the sell-off of the 407. Today, at least when it comes to the 407, consumers, users and drivers

have the availability of an alternative route. If you don't like the tolls on the 407, you can at least get off the darned thing and use an alternative route. When it comes to our transmission grid, when it comes to Hydro One, there is no alternative electricity highway. If the rates skyrocket, I guess the energy minister might suggest that we break out the candles. We think there's something that we can do now. We can ensure that Hydro One is in fact not sold off.

One of the options the energy minister is tossing around is a straight sale to an individual. From our perspective, that represents a real security issue. I don't want to sound alarmist, but isn't that effectively handing one person or company the power to shut this province down? Hydro One is the central nervous system of the Ontario economy. How could this government possibly contemplate what they call a strategic sale: you turn ownership of Hydro One over to one individual or to one corporation. Just how sensible is that?

If the energy minister had spent a little more time listening to people during his so-called consultation hearings instead of telling them what they couldn't say, he'd have heard that Ontarians are very concerned about the future of their transmission grid. I think it has taken us close to 100 years to cobble together this transmission grid.

I can recall one particular time—I used to be our party's energy critic—when an elderly gentleman came forward and made a presentation to this committee which was considering a Hydro bill of some kind in the early 1990s. He recounted in some detail how as a boy in his small community the lines actually were sent into the community and they put up Christmas lights for the first time in that community. I was thinking of that story and how we have developed this very strong dependence—and that's the right word, it's a dependence—on our transmission grid, and it is absolutely essential, as we contemplate its future, that we do nothing to put our dependence on that grid at risk.

I was mentioning a moment ago how the energy minister should have spent a little more time listening to people and how people are now very worried about the future of their transmission grid, and well they should be. This is, after all, news to them. Ontarians certainly didn't hear anything about selling off Hydro One during the last election campaign. Wouldn't selling off a huge natural public monopoly, a multi-billion dollar transmission grid, be the sort of thing you'd somehow want to, at least in some oblique way, make reference to during the course of an election campaign? Not one word was uttered at the time of the last election about the potential sale of Hydro One, not a single word.

I say to the Premier, and I say to the energy minister, if you really think this is the right thing to do, then put it to the people. Have an election on the issue. That's the right way to proceed. That's the democratic way to proceed.

When you get right down to it, this is all about the next election anyway. The government members are a

little tight for cash just now. When you're an unpopular government trying to make up for seven years of incompetence, being tight for cash is not a good thing. The members opposite could use a few billion dollars extra to fund the promises they're about to start making, promises they hope will make people forget about the sad state of our health care system, promises they hope will make people forget about the shambles this government has made of our public education system, promises they hope will make people forget about Walkerton and Ipperwash.

I can tell you, these people opposite will be buying their way out of those things. They're certainly not buying their way out of this by selling this province's transmission grid. It would be nice if this government had the courage to stand by what it believes, to defend it and to put it to the people of Ontario for their approval. It would be nice if this government didn't make policy on a whim, saying one thing one day and another the next.

You might not agree with that government, but you could at least respect it. The soap opera that has played itself out over the past few weeks has not been worthy of respect. It has been worthy of nothing more than a channel change. We have witnessed flip-flops. We have witnessed a consultation process in which people were told what not to say, and from which the energy minister stormed out when he didn't like what people did say.

This government has variously committed itself, thus far at least, to the following: an IPO, an income trust, a not-for-profit corporation, some kind of leasing arrangement, a strategic sale, the status quo, anything but the status quo. Then this government has the unmitigated gall to reveal that they are not going to announce their final decision with respect to the future of Hydro One until after this House has recessed.

I refer you back to the recent throne speech when this Premier, through the Lieutenant Governor, told us that this marked the beginning of a new era. We were on the threshold of a springtime in Ontario politics. Birds would sing, kids would play soccer and the sun would rise. He spoke about how listening would be seen as a mark of courage and no longer as a weakness. He talked about a government that was going to be both responsive and responsible.

I ask you, Speaker, is it really responsive and responsible, is it really doing courageous listening when you say to the duly elected representatives of some people of Ontario, and through us to them, "We're going to introduce a bill. We're going to drive this thing through. We're going to get this thing wrapped up by the end of June. You people are going to go off to do whatever you do during the summer break, and then we will make the final decision with respect to the future of Hydro One"?

**1540**

That does not speak to me of us finding ourselves in a new era here, on the threshold of a new springtime in Ontario politics. It speaks to me of the bad old days of Mike Harris, when he rammed things through and did not give us due regard. More importantly, it's not about us;



it's about the people of Ontario whom we enjoy the privilege of representing. That's what this government is doing. They are one and the same. Are these people opposite so afraid of scrutiny, are they so afraid of questions? We say enough is enough. Either take this thing off the table or let the people of Ontario know where you stand, and then let them tell you where they stand.

**The Acting Speaker (Mr Michael A. Brown):** Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** Thank you, Speaker, for this—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Marchese:** Dalton, they still can't get over your speech. That's so nice. You've got so many supporters.

**Interjection:** Where are your colleagues?

**Interjection:** Where's your support there?

**Mr Marchese:** We don't need so much support here on this side.

I'm happy to speak to this motion, and I want to say that it's so good that Dalton McGuinty, the Liberal leader, made reference to the fact that they agree with the NDP on this particular issue. We're happy to have them agree with us.

**Interjection:** No, you agree with us.

**Mr Marchese:** Oh, is that the way it is? I thought we took this position quite a while ago, as long as a year or so ago. But some of you could be right. You were dormant for quite a while, and now you have awakened to the issue. That's OK. It's good to have both opposition parties on the same side on the issue of Hydro One.

*Interjection.*

**Mr Marchese:** You're quite right, Dominic. You guys are doing well and you have more members, it's true. All I'm saying is that on this issue I'm happy we are now on the same team.

For those watching, what we're talking about is Hydro One. Most of you don't have a sense of what this is all about, and it's true that most MPPs didn't have a clue before this issue broke. There's this Hydro One issue and there's power generation on the other side, and nobody seems to understand the difference. In fact, many people link the generation of power and Hydro One as being the same issue, and they're not.

For many years no one in Ontario had to worry about that distinction, because for over 100 years people in the province of Ontario got Ontario Hydro power at cost without worry, without the insecurity of whether or not they would have it one day, without the insecurity of knowing that the price might be higher one day, lower another, jacked up another day and so on. One hundred years ago Sir Adam Beck, this wealthy individual, felt it was in the interest of all Ontarians, both rich and poor, to have a public monopoly delivering hydro to our homes. This man, 100 years ago—he wasn't a poor guy; "Sir" is usually attached to people who are fairly well to do. Most poor people I know never acquire such a title. He was a rich guy. This rich guy said everyone deserves to have

hydro no matter where they live, and this is a big province. This province is three times bigger than Italy. Italy has 60 million people; we have 11 million people. It's a big, big province. Our leader represents a riding that's just as big as some of those European countries. Sir Adam Beck felt and understood that there ought to be a state monopoly that would deliver hydro safely to their homes, far and wide, north, east, west, south. It worked well.

I don't know anyone who complained about Hydro, really. I don't know anyone in Ontario. I'm not sure if some of you watching are those who called upon the former Premier to change the status quo because it wasn't working. I certainly don't know anyone. People got hydro at cost and it worked.

Then of course the Tories began with Darlington. Darlington, by the way, was a Tory initiative and cost 14 billion bucks to build. It began with the Tories. By the end of it, we held in our hands a very huge cost that, by the way, we never paid back at the same pace or in a way that we would be certain to have it paid off. So we have a huge debt as a result of the construction of Darlington that was not paid in a very timely way. We could have asked the people of Ontario to pay their fair share and get rid of that debt, but we didn't. We put it off year after year. But it was the Tories who did that one.

**Hon Norman W. Sterling (Minister of Transportation):** Give me a break.

**Mr Marchese:** Darlington was a Tory initiative, Norm.

**Hon Mr Sterling:** No, it wasn't. It carried on. It takes 15 years to plan a nuclear plant.

**Mr Marchese:** All right, Norm. You'll be up soon and you can have your say.

Harris, of course, the demagogue of Conservative politics, came along and he said, "A public monopoly is simply a bad thing." Who says that it is a bad thing? Mike Harris said it was a bad thing. Does any Tory know anyone in the lower ranks, the lower echelons of society, who said to him or you, Tory MPPs, "The state monopoly is bad and it's got to go"? I don't know anyone.

Harris and some of the gang across the way—not all Tory MPPs, because not all are wealthy. Some are, but not all. Certainly they're all influenced by the big-money-making boys, of course. But Harris is someone who believes in private enterprise, and so do the vast majority of Tory MPPs. They believe public ownership of anything is bad. "We cannot improve public ownership. We improve it by destroying it." So Harris comes and glorifies the private sector, puts it on a pedestal next to godliness and says, "Privatizing Hydro is good."

So he decided to do two things: deregulate power generation—and by the way, I'll just explain that, and then I'll try to get into Hydro One. Deregulating hydro generation meant that we now rely on the marketplace to determine the price of hydro. No longer do we have the assurances we had in the past, where you paid what was fair and what was right in order to pay off your debts. We

now leave it to the market to determine the cost. We have the uncertainty of the private sector marketplace determining the price of hydro. Mike Harris says this is good. Who says that's good? Mike Harris. Who else says it's good? Those who stand, of course, to profit from it: those who want to make a lot of money.

Remember, the generation of hydro is by and large now controlled by Ontario Power Generation; 60% to 80% of it is in their hands still. They will privatize that slowly in the next 10 years. Twenty per cent of it is now in private hands, those who generate hydro privately. Then you've got all these retailers who buy from those who generate electricity and they come knocking at your door saying, "I can sell hydro for cheaper than some other retailer who comes to the door saying he or she can sell it for cheaper," and so on and so on down the line.

The Liberals support the privatization of the generation of power, which they call—

**Mrs Marie Bountrogianni (Hamilton Mountain):** So do you. Your leader said he supports TransAlta in Sarnia.

1550

**Mr Marchese:** The Liberals support the privatization of power generation because they say that competition is good. They agree with the Tories that the privatization of the generation of power is good, on some assumption, Marie Bountrogianni, that this is a good thing. The Liberals don't speak much about that because they'd rather keep that hidden under the carpet, so to speak. We want to put this out to you, that you should ask the Liberals and the Tories—

**Mrs Bountrogianni:** And Howard Hampton.

**Mr Marchese:** —and Howard Hampton what his views are, because we're opposed to it.

Marie Bountrogianni is supportive of the privatization of Hydro, but today—

**Mrs Bountrogianni:** No, we're not.

**Mr Marchese:** Marie Bountrogianni, you'll have your opportunity to speak for sure, and we're looking forward to your remarks, but you have supported the deregulation of Ontario Hydro. Marie Bountrogianni, when you stand, tell the public of Hamilton what your views are on this matter, because I certainly am interested to hear them. I'm interested to listen to any Liberal who has a position on this. I know you don't call it privatization; you call it competition, I think it is.

**Mrs Bountrogianni:** What does Howard call it?

**Mr Marchese:** Howard Hampton calls it that he is opposed to the privatization of the generation of power and we are opposed to the selling off of Hydro One, the transmission lines, those lines that bring hydro to your home. We're opposed to that and we are opposed to giving it to the private sector to sell off the generation of power to private companies. We're against that too. Howard Hampton, our leader, is against it; I'm against it; David Christopherson is against it—we're all against it on this side.

Good people of Ontario watching, I know it's complicated understanding transmission lines, Hydro One,

the generation of power as a separate issue. For you, they're all the same; all complicated. For the NDP, it's quite clear. We are opposed to deregulation of hydro and the privatization of it, and the privatization of Hydro One, the transmission lines. It can't get any clearer than that. I leave the flip-flops both to the Tories and to the Liberals. On this side, it's quite clear that we are opposed to both.

I remember Jim Wilson here in this House making references to California. He used to stand up and say, "We want to do what they've done in California." David, do you remember that?

**Mr David Christopherson (Hamilton West):** Yes, I remember.

**Mr Marchese:** He used to use it as a model of what Ontario was going to do. Then lo and behold, California collapses under the schemes and the manipulation of their marketplace, to the extent that those who were controlling those power grids were making big, big bucks. It even involved BC Hydro—our own provincial government selling hydro down there and making some big bucks too. What a scheme it is.

Now the state of California has to put in \$20 billion to \$30 billion to save Californians from the disaster that Enron and others have caused. Who pays when private corporations go bust, when they get caught manipulating markets? Who pays for that?

It's the little guy—you, the little guy, the person who works out a day, sweats his butt out every night and every day making an honest living. But no, we idolize the marketplace. We idolize the private sector. We say, "Oh no, God, they can't do any wrong," until they do wrong and then you pay. Twenty billion to thirty billion bucks of the public's money that the state of California has to put in to fix something that the private sector said, "Oh no, we can deliver energy cheaper, more efficiently." What a big cost—20 billion to 30 billion bucks. It ain't cheap.

By the way, Jim Wilson doesn't talk about California any more. "California Dreaming"—that was long ago. He doesn't sing that song any longer.

Now we have Alberta. Oh, it couldn't happen in Alberta, could it? No, Alberta would be different. Alberta would be able to do it more efficiently because presumably they have got regulatory bodies that can make certain that none of the scheming and the controlling of the market would go on in Alberta. Oh no, not under Klein, good God, no, because Klein knows better, like Harris. Harris and Eves say, "Oh, no, it can't happen in Ontario. We've got the IMO." Don't worry about the acronym; some organization that's going to keep an eye on these things, like in Alberta, like in California.

In Alberta, you may or may not know—I don't know—that two billion bucks comes out of the heritage fund, the fund they have that comes out of the generation of oil. That's a fund they keep for a rainy day. Do you know what they're using that fund for? They're using their heritage fund—\$2 billion a year—to subsidize those homeowners who are paying skyrocketing prices for their



hydro. Imagine: the people of Alberta are subsidizing the corporate sector by \$2 billion a year to line the pockets of the private sector, which says, "We can deliver hydro cheaper to your door." You see how nuts that is? People are paying the private sector money to fix a problem they caused.

You, watchers of this program, are the ones who will suffer. You suffer, under the deregulation of generation of power that Liberals and Tories support, the insecurities of not knowing when hydro is going to go up or down. And, by the way, it will go up and up, but don't worry, you've got the assurances of Ernie Eves, who says, "It can't be." Jim Wilson says, "It cannot be." Stockwell says, "No, don't worry; it cannot be. It will be different in Ontario." It hasn't worked anywhere else, but Stockwell, Wilson and Eves say, "Don't worry, in Ontario it will work."

How will it work? On the stupid promise of a "trust me" kind of politics? It has worked nowhere else but it will work here? It's dumb politics, people of Ontario. It's dumb, dumb, dumb politics. You can't be sucked into these politics.

By the way, they leased Bruce B to British Energy. That lease gets us enough money from British Energy to pay for the decommissioning of this nuclear site and it covers the disposing of the spent fuel, more or less. That's all it does. So they pay us to worry about the decommissioning and the disposing of spent fuel and we give them \$500 million a year. Isn't that a great deal? It's a blood-sucking machine, sucking your blood, our blood. They make money; we give it to them and we lease it.

Do you remember about the 407, when the government said, "We're ending that lease; we're going to sell it off," and the prices just tripled? It's nuts. You're getting gouged. We're all getting gouged.

We don't know what's going to happen, because Ernie said, "Look, we got stopped from going around talking to people. We've got some ideas. Yes, maybe we'll lease it; I don't know." We don't know what they're going to do but they will certainly tell us after we leave here in June. You need to demand that we need to know what they want to do with this.

Remember, the leasing of Bruce B is pocketing British Energy close to \$500 million a year. Hydro One, those transmission lines, does not require a great deal of maintenance. They get in \$500 million to \$600 million a year, and you want to sell it off to the private sector so they can make money as they suck your blood and mine, so the private sector and the buddies of Ernie and of Dalton McGuinty—because the Liberals claim that only the Tories have links to the corporate sector, but Liberals have the same links, the same tentacles out. They don't want to say that but, between you and me, they are in the same kind of boat. The same kind of people go to the same fundraisers. You may or may not know it but it's true.

What are we saying? I'm saying to you that an election would be good. Hold off this issue. Put it off for an election. Do not introduce a bill that either leases or

sells it before that election. Tell the public what you want to do. Put it out to a vote. The public is not demanding selling off Hydro One, the wires. The public is not demanding selling off the Ontario generation of power. The public is not asking for it. The only ones asking for it are Eves, the former Premier, Mike Harris, and a couple of their rich buddies with whom they have lunch and dinner daily—good lunches and dinners.

1600

Sometimes I miss those things. I'd like to be able to have a couple of bucks to—

**Mr Peter Kormos (Niagara Centre):** Who's picking up that tab?

**Mr Marchese:** Who's picking up that tab? I can tell you it isn't them.

**Mr Kormos:** Stockwell?

**Mr Marchese:** No. I'm sure those picking up the tab are the full of pocket.

I say to you, people of Ontario, I know it's confusing. We will end this confusion by you demanding, "Let's take back the market that has been deregulated, the generation of power." New Democrats promise to take that back. You need to demand of the Liberals to take the same position on the issue of Hydro One, the sell-off of our grid: "You can't sell it off. It's too important to Ontario. You cannot sell it off."

Imagine these grids connected across North America. Imagine the power that the private sector wields by being able to control these grids. You decide, Ontario government, you're going to get out of the way and let them control those grids and who gets what and when, have the private sector manipulate when you will get hydro and when you won't, and manipulate the fact that prices will go up. Because it's the nature of the beast. You privatize so they can make money. That's what it's about. It's not about giving you cheap hydro. It's about involving another party to put money deeply in those pockets of the wealthy.

So I'm urging the public to fight against this. I'm urging the public to call an election. I'm urging the public to call upon Ernie Eves and say, "Stop. You can't do anything with Hydro One. You have no mandate. Stop." That's what you've got to tell them. You, only you in those areas where you support these Tories in the 905 and beyond, only you. Not only you, but you have tremendous influence on these guys. You've got to get off your butts and say to the government, "Stop. You can't do this." I know many of you are saying it. More and more are saying it. That's why Ernie's backing off. That's why he's afraid. You've got to keep fighting. You've got to keep the pressure on. Keep the pressure on Ernie Eves especially; Stockwell as well, of course, but Ernie in particular.

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to join the debate today on the opposition day motion which, as with most of their positions unfortunately, does not reflect the factual situation facing the province of Ontario, the ratepayers and our electricity market.

Many jurisdictions around the world have undertaken opening up their electricity markets to competition. In

every one of those jurisdictions, consumers have seen stable or declining prices.

We followed through on our government's commitment to fix the problems of the past and to safeguard the future of the electricity supply in our province. We made the move to a competitive market because the old monopoly system was clearly not working in the best interests of our taxpayers. We could not continue to use taxpayers' money to throw into that bottomless pit that was the old Ontario Hydro, and that had run up \$38 billion—\$38 billion, \$3,000 for every man, woman and child in this province—as the accumulated debt. The transition to competition was so smooth, the event has barely registered on the public consciousness.

It's like Y2K and all the sound and fury signifying nothing around that event. The only issue there is how retailers get rid of the thousands of generators they bought because it was supposed to go dark at 12:01 in this province. Here again, we heard the doom-and-gloom artists on the other side of the House, aided and abetted as they always are by the Toronto Star and other electrical engineers I guess they have on their staff at the Star, say that we would have blackouts, brownouts and all sorts of problems with electrical supply after May 1. Well, you know what? It didn't happen. What did happen is precisely what has happened in every other jurisdiction around the world that has opened up to competition. The price has fallen.

I know the opposition does not like to hold debates using the facts. Just minutes before Mr Marchese finished his comments, I went on to the Web. I called up the current hourly price in the electricity market in the province of Ontario today. I would want to remind everyone watching here today and those who read Hansard that the reference price on April 30, under that vaunted monopoly system we hear our opposition colleagues trumpet so much, was 4.3 cents per kilowatt hour or alternatively expressed as \$43 per megawatt hour. I'm sure it comes as a great disappointment to those doom-and-gloom artists that the price as we speak, right now, is \$30.56. That is \$12.44, or almost 30%, lower today than the price on April 30. And just in case folks think that is a flash in the pan, you can also go to the Web site of the Independent Electricity Market Operator. The Web site, for those who are interested, is [www.theimo.com](http://www.theimo.com). You will find you can click on there and get not only an hourly rate right now; you can find out what the average price is so far today, so far this week, and what the price has been every week since the market opened. You will find, if you look at the various weekly reports, that while there are daily fluctuations—and of course there will be daily fluctuations; just as there are fluctuations in demand, there will be fluctuations in supply—the average price every single day since the market opened is fully one third below the price that utilities all across Ontario were paying on April 30.

Now, I do recall one news event, one news article over the last two weeks, that commented that for a two-hour period the price had gone up to nine cents a kilowatt

hour—nine cents. It sounded like we may have made a mistake, if that had been extrapolated. Unfortunately, the same newspaper article didn't mention that that same day, the average in the 24-hour period was 3.2 cents. The blatant dishonesty, the misleading of the ratepayers of this province, has to stop. It has to stop from members here and it has to stop in the media. The fact of the matter is, there is greater access to information about the price, the supply and all of the details surrounding the electricity market than ever before in our history. Utilizing the Web and utilizing the resources of the independent market operator, the Ontario Energy Board and the Ministry of Environment and Energy, we have been able to present to people all of the evidence, and it's overwhelming. This has been a good-news announcement, and it will continue to be.

Throughout the course of the year we'll also see seasonal fluctuations. That too is to be expected. We get some of our least expensive power with the spring runoff running through the Niagara Falls turbines, the Beck system, and of course all of the other hydraulic systems all across this province. That generation is at its peak in the spring. At other times, we rely on nuclear power for the bulk of our electric generation. The good news there is that another 2,000 megawatts, enough power for another entire city of Toronto, will come back on line over the next two years. At intervals of about six months each, 500 megawatts will be coming back on line as the Pickering A nuclear generator is brought back into the system.

The other good news is that with the announcement two years ago that we were opening up the market to competition, the private sector has responded. They have announced, and in some cases are already constructing, a total of 3,000 megawatts of privately owned generation. Again, that's enough power for one and a half more Torontos, a staggering increase in the amount of supply. I would challenge the members opposite and I would challenge the doom-and-gloom artists in the media to cite one product they have ever encountered in the marketplace where when there is increasing supply they have seen an increase in costs.

I think back to a decade ago when telecommunications was opened up to competition. There was a time in this fair land when we had a choice of one phone supplier, and that was Ma Bell. We know that with that monopoly came a complete lack of customer relations, came a complete lack of choice for consumers, came a complete lack of protection against the monopolistic abuses, against the monopolistic inefficiencies and bureaucracy, that typified that operation. Today you have a choice of at least two local phone services, an infinite number of long-distance suppliers, and four cellphone companies. In real dollars today, you're paying less for your phone bill than you paid 10 years ago. That was a commodity; that was a monopoly. We had, quite frankly, the same suggestions in many quarters, that somehow breaking up the Bell Canada monopoly would spell the end of quality phone service in this country. Nothing could have been



further from the case. In fact, even Bell Canada today would admit that the transformation they have had to undergo to remain competitive, to remain viable, to keep customers, has left them a far more efficient operation today. I'm sure if they were to be challenged to take a position one way or the other, the senior management of Bell Canada would applaud the fact that our country had to go through those changes.

1610

One of our key objectives in restructuring obviously has to be to put the electricity customers first. We've done this in designing the entire marketplace. We had the benefit of looking at what had happened in every one of those jurisdictions all across the world that had opened their marketplace to competition. In the United States alone there are 13 states—13, not just California. We've heard our colleagues opposite trumpet that old saw.

But by the way, even in California the market opening took place two years before the so-called crisis hit that state. The shortage that they faced a year ago in California was not the result of opening up the market to competition. It was the fact that the largest natural gas pipeline that services the turbines from which they get the bulk of their power blew up, denying the south end of California the source of most of its electricity. At the north end a drought in Washington state, coincidentally at precisely the wrong time, denied the north end adequate supplies of electricity. But through it all, the greatest mistruth that has been perpetuated about what happened in California is that the consumers suffered. As a result of very sloppy legislative design in California, the utilities were caught between a rock and a hard place and in the course of a few weeks found themselves \$15 billion in debt. But the good news was that no consumer saw their price change by one red cent. The consumer never saw the price change.

Clearly the legislators had not envisioned the kind of loophole that some unscrupulous operators found in the States. However, we have had the benefit of seeing the legislation they designed, we have reflected on the failings in California's legislative umbrella and we have made sure that the same opportunities for abuse do not exist in Ontario. We've had the benefit of the other 12 states, we've had the benefit of countries in Europe and in Australia and all around the world that have opened up their marketplaces to competition.

In the first 20 days of the new market, electricity prices have averaged 2.9 cents per kilowatt hour. I think that's a great start and something I would have thought all the members opposite, if they truly cared about their constituents—if they truly cared about that single person or the elderly person facing one of their greatest expenses every month, the hydro bill—that knowing it had dropped by one third, they would have put aside their partisan challenges in here and applauded what the private sector and the forces of competition have already achieved in just three short weeks.

The bottom line is that utilities are continuing to be mandated to supply them with power. You can sign up

for a long-term contract at a fixed price if you're at all concerned about fluctuations in the marketplace. I'm not aware of a single government member or any of their families that have signed such a contract and I think that speaks to the confidence we have that the market will continue to guarantee that we have affordable electricity, because the generation of electricity is now a competitive activity in the market, with supply and demand determining the price.

Whether or not a contract is signed with a retailer, local utilities must continue to deliver electricity and bill customers for transmission and distribution. No matter what choice consumers make, their local utility will still be responsible for the safety and reliability of local distribution.

I think there's a point that bears very strong emphasis and that's the misuse of the words "regulation" and "deregulation" in this debate. We are not deregulating the electricity market in the province of Ontario. In fact, there are more regulations in place governing the production, transmission and distribution of electricity than at any time in the history of this province. And anyone using the word "deregulation" is committing as great a fraud, as great a fearmongering as I could imagine in this whole debate.

It would be fair to say we're opening up to competition. It would be fair to say we're bringing in the private sector. It is not honest to say that deregulation is taking place. If the members opposite believe that to be the case, I challenge them here and now to come and stand in their place and talk about how many regulations there are now and talk about the specific regulations that once may have been in place that are not there today. The reason they won't do that is that they know, first off, that we have more regulations, but they also know that the nature of the regulations has changed. Probably for the first time in all of our lives the regulations surrounding the act are now understandable by lay people. You can actually understand what the Ontario Energy Board is supposed to do on your behalf, what the Independent Electricity Market Operator is supposed to do on your behalf, what Ontario Power Generation and Hydro One are supposed to do. You had to be a lawyer before this last redrafting, and that may please the members of the opposition who are lawyers, but I can tell you that the average customer didn't even try to get into the depth of understanding the regulations that surrounded the generation, transmission and distribution of their power. We've made it understandable now.

We've also dramatically beefed up the area of consumer protection. The members opposite will know that for something as simple as leaving one line out of the form that some of the utility retailers were using to attract new sales, they have been assessed extraordinary fines by the Ontario Energy Board; any reasonable person would have said a fairly minor transgression of the act, but we're taking a zero tolerance approach to consumer protection in this issue.

This matter is too important to leave to any one corporation. This is something where the province must

guarantee that as the market evolves, from that old monopoly, that hidebound, inefficient, bureaucratic monopoly that did nothing but drive up debt, to a competitive marketplace with more supply, lower prices, greater choice for customers, there is obviously a need for continued government oversight. We're doing that and we will continue to do that for as long as it is necessary. By law, the Ontario Energy Board will continue to strictly regulate the transmission and distribution of electricity. By law, the Independent Electricity Market Operator must protect the interests of consumers with respect to the reliability and the quality of electricity all across this province.

So there is no deregulation. It's competition combined with strong regulatory oversight.

I mentioned that we've put in place strong consumer protection when it comes to energy retailers. We've given the OEB all the tools it needs to oversee these new retailers and deal with those engaging in any kind of questionable practices. For example, as a condition of their OEB licences, all retailers must follow a new electricity retailer code of conduct that establishes very clear guidelines and standards. The code requires retailing salespeople to carry photo identification when they go door to door, to indicate clearly that they don't represent a distribution utility, to clearly state the price and other terms and to provide a clearly printed contract.

As well, we've guaranteed that retailers must provide a customer ample time to not only understand the offer without pressure or harassment but then to get out of the deal if they've changed their mind a short time after. No customer is required to show their electricity bill or any other information to a retailer unless they decide to sign a contract with a retailer. All electricity retailers are also subject to the same consumer protection laws as all other sellers in the province under the Consumer Protection Act.

Direct sales contracts must include what we're calling a buyer's-right-to-cancel statement in not less than big 12-point type, which is a very readable size of printed type, much larger than what could be suggested as fine print.

If there are problems, the Ontario Energy Board, headed by the former NDP cabinet minister Floyd Laughren, has the authority to levy financial penalties against a retailer or to revoke or suspend its licence. On April 25, in fact the OEB's director of licensing levied significant fines on two electricity retailers for violations of the code of conduct.

1620

As one more tenet of our consumer protection, the energy board is maintaining a log of all public complaints, as well as details on the nature of the complaints. The OEB licensing staff committed to investigating these complaints work with the companies involved. One retailing company has already established a six-point plan to instill the highest integrity in its sales force. We certainly encourage all retailers to adopt a similar attitude.

The energy board also has a dispute resolution process in place, and the director of licensing has the power to make a ruling if the dispute can't be resolved with the retailer.

A contract is a legal and binding document, and customers have the right to cancel a contract without penalty by notifying the company within 10 business days after they've signed it.

We've got to take some other steps, and I'll be quite candid: the government has to make sure that consumers better understand what has happened in the marketplace. There are a lot of changes taking place, and I think they're all good-news announcements. But the bottom line has to be that our motives are made very clear to every ratepayer, to every taxpayer. Our commitment is to supply an adequate and affordable supply of electricity within a strict regulation and with a guarantee of adequate consumer protection. Every decision we make will be consistent with those principles, but we are committed to making sure there is the greatest possible information available on the Net or, if someone doesn't have access to a computer, in written form.

Over the last few years we've produced brochures, fact sheets, bill inserts, a toll-free information line, the ministry Web site, town hall meetings, seniors information sessions, radio, print and television advertising. I can tell you, Mr Speaker, that we're prepared to continue in all those areas as we move forward to make sure every single citizen in this province understands that, just like Y2K, the sky isn't falling, only the prices are.

In fact, since 1999 the ministry has distributed 1.3 million brochures and 11 million utility bill inserts in an effort to inform customers well before the marketplace opened. If consumers have questions, I invite them to phone the ministry's toll-free line at 1-888-668-4636. You can also get information off the Web site at [www.est.gov.on.ca](http://www.est.gov.on.ca). If they have any questions about electricity retailers, consumers can call the Ontario Energy Board's customer service centre at 1-877-632-2727 or visit their Web site at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca).

We've put electricity consumers first in designing our new electricity market, and we've made consumer protection priority number one. As we move forward with the restructuring of the electricity market, we're going to continue to put the needs of Ontario's electricity customers first and ensure their interests are protected.

I should also note on the record that next week we intend to table in this House what I believe will be the most progressive and the most aggressive program to promote alternative fuel sources in the province of Ontario and perhaps in the world. The restructuring of the marketplace was a necessary first step if we're going to take advantage of all the technical and technological opportunities out there.

We need to have more green power. We must move away from the use of carbon-based fossil fuels in the generation of power. I think the fact we actually have a unanimous report that was agreed to by representatives of all three parties is a very promising start, and I don't



believe there was any partisanship demonstrated throughout the course of the almost one year of the select committee's existence. It has the potential to dramatically change the way we get our electricity generated and, in turn, dramatically and positively impact air pollution in our province. It is necessary to have an open marketplace to take advantage of these opportunities, because now, as a matter of right, if someone puts up a wind turbine or builds a massive solar array or taps into the methane in a landfill site, they will have the right to sell power into the grid.

Green power is the future of this province. Consumer choice is the future. And everything we've done—restructuring, opening up to competition—is consistent with those goals of adequate supply, consumer choice and consumer protection.

**Mr Michael Bryant (St Paul's):** I feel like I've been on the other end of a wind turbine for the last 10 minutes. Isn't that just like the Tories to try and obfuscate and throw up a smog screen in the midst of a debate about Hydro One transmission? I guess the government's speaking notes say, "Whatever you do, don't talk about the subject matter of the opposition day motion. Talk about generation. Don't talk about transmission."

**Mr Joseph Spina (Brampton Centre):** On a point of order, Mr Speaker: I'm just wondering if the word "obfuscate" is parliamentary.

**The Acting Speaker:** Yes. The member for St Paul's.

**Mr Bryant:** In the midst of this illusion of confusion, they try to obfuscate the obfuscation. They try to throw confusion into the mendacity of the debate from Scarborough East. They stand in their place and try and kill time instead of facing the music. And here's the music, here's the question, here's the story that this government's going to have to answer: why did you sell off the money-generating, publicly controlled, publicly owned electricity transmission highway?

This government will not answer that question. This government won't even talk about transmission. I listened, and it was painful. I listened to the entire speech of the member for Scarborough East, the entire speech, and at no point did he talk about transmission; he talked about generation.

All three parties agreed in 1997 in a joint committee report that there needs to be reform to electricity generation in the province of Ontario. Why? Well, either we are going to have to buy power from the United States or we are going to have to ensure that we have electricity made in Ontario. And if we're going to have electricity made in Ontario, if we're going to have cheaper electricity and electricity for the future—and, yes, all three parties agreed to the restructuring. All three parties agreed. We didn't agree on exactly how you do that. But in the midst of that debate, the government decided to sell Hydro One.

I've got to tell you, that issue was never on the table in the midst of the debate over electricity restructuring ever before. It would be the equivalent of talking about health care restructuring and in the middle of that deciding that

you're going to privatize ambulances. One has got nothing to do with the other.

So let's be clear. This opposition day motion is about the sale of the electricity transmission highway. It is not about what the member for Scarborough East was talking about—generation. That's an important issue and an important debate, but it is not one before this House right now.

What we are here to talk about is this government's attempt to sell off Hydro One, what turned out to be an illegal sale that had no statutory authority, under the noses of the people of Ontario, without any electoral mandate whatsoever, without any statutory authority to do it, without any political authority to do it.

I would love it if members Guzzo and Kells were participating in this debate, but I don't think they will be. According to media reports, the government caucus rejected the privatization of Hydro One. So who supports this privatization? Who does? The people don't. The opposition doesn't. The member for Scarborough East won't even talk about it.

I'd love to hear from the government members in the time remaining as to whether or not they actually support the privatization of our electricity transmission highway. Do you support it or not?

The Premier said that selling Hydro One is off the table for now. For now it's off the table. What a joke that is. What a future flip-flop that is. Either it's on the table or it's off the table. It can't just be suspended in mid-air beside the table, it's got to be on the table or off the table.

Over the course of the last three weeks, we have gotten every day a new story on Hydro One, every single day. One day, of course, in December of last year, we were told that Hydro One is going to be sold, out of nowhere, out of the blue. The only previous comment from this government on it was from energy minister Jim Wilson, and he said privatization of transmission is not on the table, it won't happen.

Out of the blue, without any mandate whatsoever, the announcement is made. No bill, no debate, no legislation, no nothing. The announcement is made: they're going to privatize Hydro One. Then of course it's found to be without any statutory authorization whatsoever.

**1630**

Mr Justice Gans ruled that it would be an illegal sale. The government would not have the authority to sell it. Then, a week later, the Premier says, "We're going to sell it anyway, but we're going to have public hearings on selling it," as if they're listening to the public when the decisions are to be made, "and we're also going to appeal the decision." Either you're going to legislate your result or you're going to actually listen to the courts. I think the government is wasting the courts' time by bringing forth this appeal when they are going to legislate their own answer. I don't know of another occasion when the government has decided not to hear from the courts before moving forth with an issue, but on this one occasion, the government is hell-bent on ramming through the privatization of electricity transmission in the province of Ontario.

The question I have is, why? Why would the government do it? Does anybody have an answer over there? You can't say it's competition, because this is a natural monopoly, transmission. There ain't no competition. You're not going to have one transmission company competing against another. The government has never suggested that's the case, and it would be misleading for anybody to suggest that selling off Hydro One is about competition.

This is a monopoly and the government knows it. There's no competition when it comes to Hydro One. It's a natural monopoly. That's why it's a natural money-maker. It makes \$330 million every year for the people. We, the people, get that money. The government is concerned about Hydro debt all of a sudden, and the government can be taking that money and paying down the Hydro debt. Over time, they could pay far more down of the Hydro debt by keeping Hydro One public than by any of the privatization options.

So why are they selling it? What is this about? Let's be clear. The debate here should be about whether or not to keep Hydro public or private, but the government throws up a smog screen whereby they don't want the public to understand what's going on here. That's why you had a speech such as we just had, where the member didn't talk about transmission; he talked about generation. It's an insult to the intelligence of the voters of Ontario.

So why are they doing this? They want to privatize Hydro One. That's the agenda, that's the mandate, that's what the government wants to do. They have five options: privatization, privatization, privatization, privatization or privatization. Income trust, privately controlled not-for-profit, a lease, a sale, a strategic sale—privatization, privatization, privatization, privatization, privatization—all options are privatization, so it's just which one.

This government's idea of consulting is to say, "We made a decision, we know exactly what we're going to do, but we want to hear from you anyway." That's not consulting. The government knows that. It's a faux process. It's part of the smog screen.

So why is the government doing it? Why are you selling Hydro One? I'll tell you why. It's one of two things. This is my best guess. It's ideology—and it's fitting that the member for Scarborough East should speak—and a belief that privatization is necessarily better. Privatization at any cost would be the government's approach, I suppose, in this case. "We're going to privatize no matter how much it costs the public." Why? That's just their ideology.

So it's either ideology or it's just incompetence. Now you say, "The Eves government is incompetent on the sale of Hydro One?" I'll say. This billion-dollar botch-up of electricity restructuring is of historic proportions. First, they never had any statutory authority to sell Hydro One. Then they decide to proceed. Then the next day the energy minister shows up in a scrum, in the midst of a public consultation that he stormed out of—he stormed

out, by the way, in the middle of a presentation by Duncan Hawthorne, of all people.

Anyway, the energy minister, because he doesn't want to have a bad news day, then throws out income trust as an option, out of nowhere. Where did "income trust" come from? In other words, "Trust me," says the government. "I know you couldn't trust us before when it came to the sale of Hydro One, but you can trust us now." Fine, we never went around to getting legal authority for it, engaging in the kind of tyrannical acts that I thought we got rid of in the 17th century in our parliamentary system. "Just trust me," says the government. We don't trust you. You say it's off the table, and then it's on the table. So then the next day—that day, rather; it's hard to keep track of all the flip-flops this government has undertaken with respect to the sale of Hydro One.

**Mr Gilchrist:** Nice try. You were there—

**Mr Bryant:** The member for Scarborough East says, "Nice try." You tell me what this is: one day you're selling it. The next day it's income trust. No, then you're selling it. No, now we're going to look at not-for-profit. Then the status quo is off the table even though in fact the status quo is making the public \$330 million. Then, wait a minute, keeping it public is on the table, the minister told me, but he said the status quo is out. So then I asked the Premier, "What about keeping Hydro One public as a publicly owned company?" He said yes. Guess what? The status quo is back on the table: off the table, on the table. Selling it is off the table, on the table. Keeping it public is off the table, on the table. It's impossible to keep up with this government. I don't know what they're going to do tomorrow. What are you going to do tomorrow? Do you know? Are you going to sell it tomorrow or not? No answer. So it's either ideology or incompetence.

What's the case for the sale of Hydro One? I'd love to hear the government stand up and make the case for the sale of Hydro One. Why would you sell it? The argument that has come out, not in this House but through painstaking efforts to get the justification for the sale of one of our most valuable assets, has been twofold: the argument is selling off Hydro One will decrease debt; second, private sector efficiencies. Let's address that.

With respect to debt, as I've already said, if you want to pay down the debt—and this government knows something about raising the debt; they raised it by more than \$20 billion in their first term—if you want to talk about debt, the government of Ontario can take the \$330 million that it earns every year from Hydro One and put it toward the debt. Over time, you're going to wipe out far more debt than by selling it. If you sell it, \$1.5 billion is all you get from the sale that you could put toward the debt. You can pay down that much money, \$330 million, every year. So why wouldn't the government take this current, constant flow of income and put it toward the debt, when they have before? They have found religion when it comes to paying down Hydro debt through Hydro One. But in any event, if they want to pay down the debt, then they should keep it public.



With respect to private sector efficiencies, I guess we can say this: with the management team that's in place, with the current salary-and-benefit package they have in place, one cannot imagine that it would be anything but an enormous failure by the government of Ontario to suggest for a moment that they haven't been able to get Hydro One in a position where it can in fact provide the kinds of efficiencies the public would expect.

Lastly, it has to be said that the great counter-argument to the sale of Hydro One is in fact the risk that's involved. We would lose control over this asset. We would lose control over the transmission of electricity—particularly troubling for northern and rural communities, where there's just that one line heading up there. If in fact we don't have the priority placed on the public, instead of on shareholder value, then just for electricity transmission—and again, the government wants to distract you and talk to you about electricity generation. But one of them is upstream, generation, and the other one is the stream, transmission. Don't be fooled, I say to the public. This is about the government either being incompetent in the way they address issues of debt or acting in an ideological fashion. This is either the nadir of Thatcherism within the Eves-Harris regime or it's an enormous admission of failure.

This has got to be the most important debate of this year, and yet the great tragedy is that we in this House are never going to have an opportunity to vote on the government's final decision. The member for Scarborough East won't get to vote on the government's final decision. We won't have legislation that gives us the opportunity to determine the fate of Hydro One. It is one of the worst abuses of executive—

**Mr Gilchrist:** What are you talking about?

**Mr Bryant:** Do you know something that I don't know?

**Mr Gilchrist:** Yes, a lot of things, actually.

**Mr Bryant:** No, no, just wait. Are you telling me right now that in fact the government is going to introduce legislation which provides the final—

*Interjection.*

**Mr Bryant:** No, it's not. I say to the member for Scarborough East, you bring the bill in. The government brings the bill in and we will debate the final result. We will debate the government's final decision. We, who represent communities in Ontario, will have an opportunity to be held accountable. Instead, what's going to happen?

1640

You're not going to get to vote on this, I say to the member for Scarborough East. You don't get to vote on the final decision of the government. Why? Because you are not in the cabinet. The cabinet's going to get to decide this in the middle of the World Cup. That's how it's going to work. In the middle of July, they get the power to do it and then they're just going to go ahead and do it—no accountability. This government wants to fool the public into thinking there's accountability. This government wants to fool the public into thinking this is

about generating electricity. It's not. The Premier promised to keep the sale and privatization of Hydro One off the table. It is a promise that he won't keep.

**Mr Christopherson:** Many of my comments will segue nicely from where my friend from St Paul's was in terms of his comments.

I want to read into the record precisely what the former energy minister for this government said just a short while ago, a few short years ago, when he was responsible for hydro and for all energy in this province. He said, "We do not want a fire sale, so we are not talking about privatization." Guess what? The fire sale is on and privatization is on.

My friend from St Paul's hits it dead on when he says it's a disgraceful process because this place won't even get an opportunity to have a say. The government has already said, through the Premier, "We'll make this decision in the summer." It's so blatant and so obvious.

I agree with the member from St Paul's. Let's ask the central question: why is it being sold?

**Mr Gilchrist:** What would you like the government to do, David?

**Mr Christopherson:** You didn't want to answer questions before, when you were given an opportunity. Why don't you just sit there? I listened to you and you can listen to me, or will I just talk over you the whole time? I'm prepared to.

**The Acting Speaker:** The member for Scarborough East isn't being very helpful.

The member for Hamilton West.

**Mr Christopherson:** The central question is, why is it for sale? If you take a look at my community of Hamilton as an example, you've got a rare coalition who agree that this is a bad idea, certainly for our local economy in Hamilton but also for our citizens. Unless something has changed—and if it has as of this date, I'll be prepared to stand in my place and correct the record—then to the best of my knowledge, the position taken by Stelco and Dofasco is still one of saying, at the very least, "Slow down. Take a look at this." They have real concerns. Their concern is both the price of power and the availability. When you're in steel production, you've got to have power there when you need it. They can't afford to be saying, "OK, the economy's moving. We've got orders in here. We're going to crank things up and start hitting all the buttons," and nothing happens, particularly when you take a look at the history of this province, where we haven't had that problem. This is not a problem out there that's broken and needs to be solved.

So you've got the example of Stelco and Dofasco in Hamilton. You've got the labour movement, environmentalists, people who care and know a lot more about the future of energy than most of us in this place and you've got the average citizen all united in saying, "Why are you doing this? I don't see any benefit. You don't have a mandate. Stop it."

One of the reasons they give—and we've heard it over and over—is the debt. Well, first of all, let's remember that the party of the current government was in the

driver's seat when the bulk of the debt was generated, with a little help from the Liberals when they were in power. A lot of this is Darlington.

**Mr Gilchrist:** Hear, hear.

**Mr Christopherson:** Well, you can applaud that, I say to the member from Scarborough East, but nonetheless it was your party that said, "It's OK to run these kinds of debts."

What amazes me is that somehow selling Hydro is going to solve the debt problem and leave the public off the hook. If it stays in the public domain, obviously the debt is going to be paid by the people who pay their hydro bills. But do you know what? If you sell it to the private sector, do you think they're going to make a gift to the people of Ontario of paying off the debt and saying, "That's our contribution to society, and now we'll go about operating everything from here on in"? It's one of those myths about privatization that drives us crazy. You talk about privatizing things like suddenly it materializes money out of nowhere. When private entities buy a public entity, it's still going to be paid for, and it's going to be paid for by the same users of the system.

In most cases when this government talks about efficiency, it's a nice code word. What it usually means is eliminate jobs, pay the people who remain less and pay them less benefits. In the case of Enron—a word this government just hates to hear—we find out that not only did they make money by following the usual process I just described, but they also manipulated the availability of power. The story is coming out slowly but surely, but it's there to be seen. Major private power producers in the States deliberately withheld power from the grid. How did they do it? Well, you have maintenance programs that suddenly appear out of nowhere that weren't there before, so you have to shut down some operations, or maintenance programs that were supposed to be a month or two suddenly are six or eight months—whatever excuse they could come up with. Why would they want to do that? Supply and demand. The less supply, the greater the demand and the greater the price.

I for one don't have a whole lot of faith, nor for that matter a great deal of expectation, that private power generators and suppliers are supposed to make the public concern their number one priority. They've certainly got a lot of obligations, and where they won't do it willingly, you bet, let's legislate. Let's use the hammer of the law to make sure the public's needs are met. But it's not the *raison d'être* of business. Government, better than most, knows that.

What we had in Ontario was the provision of power for almost a hundred years that said, "Power at cost." I've never known a blackout or brownout as a result of any kind of lack of supply. There have been interruptions because of storms and things of that nature but never a lack of availability of power. It's one of the reasons the Golden Horseshoe is the economic engine of the entire nation and plays a key role in the entire North American economy. It was always at cost. Nobody was in there

ripping off the system, ripping off business and ripping off homeowners. Yes, their *raison d'être* every day was public interest. It served us well for a hundred years. Why, suddenly, doesn't it work?

I guess this great right-wing thinking would have come about in, what, the last three years and a bit? Jim Wilson said just in 1998 that they weren't going to do it; it would have been a fire sale. I think he went on to say he was hoping for the future that they would turn Hydro around and it would continue to contribute to society and the betterment of our economy. Sounds to me like what it's been doing all my lifetime, all my parents' lifetime and into my grandparents' lifetime. Left alone it would be there for my daughter and the generations that follow after her. All of a sudden, out of nowhere, we're going to sell it. Mike Harris says, "I'm leaving and, by the way, on the way out the door I'm putting a 'For Sale' sign on Hydro One."

1650

This government says, "Don't worry about California. Don't worry about Alberta." Can you imagine if either of the two opposition parties were on the other benches and they were over here and somebody had the audacity to stand up and say, "Yes, there have been these disasters in California and there have been these disasters in Alberta, but it's going to be different for us just because it's us." What a joke. It would be a lot funnier if it weren't so serious.

When I visit the Hamilton chamber of commerce, I don't run into a single business person who says this is a good idea; in fact, quite the contrary. What I hear is that they're worried about what it means for the future on both sides, supply and cost. When I talk to seniors in Hamilton, when I talk to disabled in Hamilton and to other people who are on fixed incomes, they're terrified, because they can't say yes or no to hydro. When we live in this part of the planet where we have the kind of weather we do, it makes absolutely no sense to go from a system that is virtually guaranteed—that when Ontarians need heat, it's there, when they need light, it's there, when they need power, it's there—and then the very next day turn around and say, "Now things are a little uncertain." Yet that's what this government is putting forward.

A couple of quick points before I leave time for my leader to wrap up our debate in the next rotation:

I want to just talk for a second about NAFTA. You've got NAFTA out there, and it covers practically everything, but power is exempt. Right now, our power is exempt from the agreement, meaning that we can supply our domestic market first, foremost and at whatever price we want, and we can export any surplus into the American market and sell it at market demand. That makes a lot of sense. As we understand the interpretation of NAFTA—

**Mr Ted Chudleigh (Halton):** You're wrong.

**Mr Christopherson:** I hear one of the government members say, "You're wrong." There's his contribution to this debate: "You're wrong." The fact is, your govern-



ment says you've got a report, but won't release it, that says differently. But as we understand NAFTA, as soon as you privatize it, you remove all the protections, the exemptions we currently have protecting our power to our citizens and our businesses, and you leave us subject to all the rules of NAFTA, meaning we can't do anything for our domestic market first as a priority. Why would we give that up for a roll of the dice? Why would we allow something to go from an exempt status vis-à-vis NAFTA to suddenly being captured by it? We would do it willingly, deliberately by a supposedly democratically elected government who, by the way, didn't mention this in the last election in 1999. This worries people, and there's good reason for it to worry them.

I want to make sure I give thanks to CEP and CUPE. There are a lot of people, especially on that side, who like to say, "Oh, you know, the unions were great back in the old days, but we really don't need them any more." Give yourselves a shake, folks. If it wasn't for the organized labour movement putting their funds and their means to this issue and taking this to court, it would all be over by now. It would already be sold. It was stopped because of the labour movement saying, "This is important to our members and society, and we're going to take this government to court." They did, and they won.

The last thing: if anybody still has any doubts about whether we should take this risk, keep in mind that one of the key advisers leading up to the sale was Enron. If you haven't accepted the fact that from a business perspective they're totally incompetent, then you ought to be terrified by their business ethics, and I say that advisedly. These are the key people who advised the government on how they ought to go about selling Hydro One.

This is a bad deal for the people of Ontario and for the businesses of Ontario. The labour movement has given us an opportunity to stop this government, and my friend Mr Marchese is absolutely right: by virtue of the public pressure, by people caring enough, signing petitions, phoning Tory backbenchers, getting messages into the Premier's office, they're stumbling; they're wavering. They're doing their polling and it's coming back massively, it has to, unless Hamilton is way out of step with the rest of the province on this, and I don't think that's the case.

They are vulnerable, finally, on one of their dictatorial decrees, and we can stop them if we care enough to take action. Part of that is speaking out today but the rest of it is in the hands of the public. They've got to care enough. You've got to care enough to do something, to send a message, because on this one we can beat them.

**Mr Norm Miller (Parry Sound-Muskoka):** I'm very pleased today to join in on opposition day and add to the member from Scarborough East and what he was talking about in terms of the opening of the market and consumer protection. I can certainly see why people might be nervous about what's going on if they've been listening to the third party especially, the opposition parties. I know the leader of the third party was in my riding and he was quoted in the local papers talking about how

prices were going to double and triple, quadruple; I believe I heard him say "quadruple."

As the member from Scarborough East has pointed out, we've taken the first step to open the electricity market, on May 1. We now have a competitive electricity market, and what has happened? The average price has been about 3.1 cents per kilowatt hour. The old price before market opening I believe was 4.3 cents per kilowatt hour. That is basically about a 30% reduction in the cost of the commodity electricity that has occurred since market opening. So I think it's fair to say that the third party has been trying to make people nervous about this and they've been not completely factual in the way they've been representing the facts on this.

Now it's time to take the next step. The legislation the government will be introducing will allow us to look at all possible options for Hydro One—privatization if necessary; not necessarily privatization.

The Premier asked the Minister of Environment and Energy, Chris Stockwell, to consult with the public and electricity stakeholders on electricity issues and the features of the legislation. As a result, a consultation paper on Hydro One was prepared by the Ministry of Environment and Energy, and the Ontario Electricity Restructuring Forum: Hydro One, headed by Minister Stockwell, travelled across the province between April 30 and May 8, hearing from many interested groups and people. We wanted to hear the public's view on our intention to develop legislation to permit Ontarians to invest directly in Hydro One and we received some innovative and constructive proposals.

Minister Stockwell asked for comments on what features the legislation should contain. He asked for people's advice on how to pay down the old Ontario Hydro debt; how to ensure adequate investment in our wires network; how to protect jobs in Ontario; how to ensure that transmission and distribution rates remain reasonable; how to make sure that our citizens will benefit from any transaction relating to Hydro One; how to ensure that Hydro One is efficient and enhance the safety and reliability of our transmission and distribution system; and how to ensure that Ontario citizens continue to have a say.

The consultations were also instrumental in explaining to people why our electricity sector needed restructuring. I'd like to take a few moments to review some of these important reasons.

Although the old Ontario Hydro had served us well for many years and delivered below-average prices for electricity, it had run into problems. Between 1983 and 1993, the price of electricity almost doubled, increasing by 94%. That's a 94% increase in the price of electricity from 1983 to 1993. That certainly affects the competitiveness of all the businesses in this province. It certainly affects all the consumers in this province in terms of paying their individual hydroelectric bills.

Debt and other liabilities ballooned from \$12 billion in 1980 to more than \$38 billion by 1999. This was about \$10,000 for every electricity customer in the province. It

was not well known that through the 1990s, more than 35% of every electricity bill in Ontario went to paying for debt interest on that \$38 billion. I'm not talking about paying down the debt; I'm talking about just paying the interest on that \$38 billion. This happens to be one of the highest percentages in the industrialized world. As a result, electricity rates were frozen between 1993 and 2001 in order to provide some stability and protection for customers, but this solution could only be a temporary measure.

1700

Ontario Hydro's faltering financial performance was closely associated with the mismanagement of its nuclear plants. By 1996, they were operating at 65% capacity, well below the 85% capacity level considered excellent within the industry. It's interesting that in the last year since British Energy took over the Bruce nuclear plant and has been leasing it, they have hit the 85% efficiency level which is so critical to having nuclear energy that is cost-effective. I think the 18,000-strong Power Workers' Union is very supportive of what's been happening in the electricity market, partly because they see the success that's been achieved at the Bruce nuclear plant.

In 1997, an all-party committee of MPPs, the select committee on Ontario Hydro nuclear affairs, reported that the "failure of Ontario Hydro management to arrest the deterioration of nuclear plant performance had cost Ontarians billions of dollars in replacement energy costs." Out-of-control costs meant that needed investments in the electricity sector were not made. Transmission and distribution were neglected as more resources were poured into nuclear plants. Without the necessary capital infusions, sustaining the reliability of the grid into the future is in question. As a consequence, Hydro One will have to make significant capital expenditures with respect to these assets over the next several years.

It doesn't take a rocket scientist to see that Ontario Hydro was clearly out of control. But Ontario wasn't the only jurisdiction facing such problems. Governments around the world, from Britain to Australia, started reforming their electricity sectors to deliver stable prices and better performance to customers through competition. The world wasn't standing still. Our electricity system, that for so long had been an economic advantage, was at the risk of becoming a competitive disadvantage that would drive away jobs and investment from Ontario. We simply couldn't let that happen.

In 1995, our government made the commitment to stop the spiralling debt and high costs. We put a plan in place to restructure Ontario's electricity sector. The government asked former Liberal finance minister, the Honourable Donald Macdonald, to head a committee to consult with the people of Ontario on our electricity sector. The Macdonald committee heard from hundreds of people. In 1996 it issued its report, *A Framework for Competition*, which recommended major changes to our electricity system based on a competitive market. This is much like the one that existed for natural gas in Ontario for the past several years.

Some 18 months later, the government's white paper, *Direction for Change: Charting a Course for Competitive Electricity and Jobs in Ontario*, was released. It endorsed many of the proposed directions of the Macdonald committee.

The government then brought together industry and consumer experts to plan a new electricity market that would benefit customers. Chaired by Ron Daniels, dean of the University of Toronto law school, the Market Design Committee developed a detailed plan for a competitive electricity system.

In October 1998, the Energy Competition Act was proclaimed after much public debate and input. This transformed the old Ontario Hydro into two main commercial companies, Ontario Power Generation and Hydro One. It also created a new regulatory body, the Independent Electricity Market Operator, and strengthened the powers of the Ontario Energy Board to ensure that consumers would be protected in a competitive electricity market, because, as was mentioned by the member for Scarborough East, strong regulation is important in a competitive market.

We were able to eliminate the much-criticized practices of having the old Ontario Hydro regulate itself and having the transmission wires operated by the same company that owned most of the generating plants. Now, Hydro One operates the province-wide electricity transmission grid and serves local distribution systems with more than 1.2 million customers.

Hydro One and the other 94 local distribution companies are natural monopolies subject to independent regulation by the Ontario Energy Board and the Independent Market Operator. The Ontario Energy Board regulates and approves transmission and distribution rates. No matter what form Hydro One is in, the Ontario Energy Board is the body that approves the prices that they charge. Their performance-based regulation will provide incentives for Hydro One and other utilities to lower costs and share savings with customers. The independent market operator must, by law, protect the interests of consumers with respect to the reliability and quality of electricity service in the province.

Now that competition is being introduced in the generation of electricity, customers can choose to purchase their electricity from a retailer or they can choose to do nothing and their current supplier will continue to supply them with power at market rates. I know in my own case, I'm just staying with market rates because I have confidence in the market.

The Ontario Energy Board is responsible for licensing all retail sellers of electricity and ensuring they abide by a code of conduct in order to protect customers by preventing abuse or fraud. The IMO ensures the efficient, safe and reliable operation of the market, while the Ontario Energy Board ensures fair competition.

Ontario Power Generation owns and operates the generating plants of the old Ontario Hydro. OPG is licensed by the Ontario Energy Board and is required, through the selling or leasing of its plants, to reduce its



dominance of the electricity generation market in order to ensure a truly competitive market. Currently they have about 75% of the market, and I believe within 10 years they need to be down to about 35% of the market.

Some people refer to this new structure as deregulation—I know I've heard that from the opposition benches a lot—suggesting that the system is no longer regulated. Nothing could be further from the truth. The old system was based on self-regulation by Ontario Hydro, which allowed the monopoly to set its own rates. Not surprisingly, self-regulation by the old monopoly was ineffective, in large part because of an inherent conflict of interest. The new, strengthened regulatory regime puts Hydro One's transmission and distribution businesses under independent regulation on a level playing field with other transmitters and distributors in Ontario. And under the new system, no matter who owns the transmission, distribution, retailing or generation businesses in Ontario, all of them, including those already owned by the private sector, are licensed and regulated by the Ontario Energy Board and the independent market operator.

Environmental protection is also one of the government's main objectives in restructuring Ontario's electricity system. Ontario's new environmental standards and emission caps for electricity generation are among the toughest in North America. Competition will allow customers for the first time to choose cleaner types of electricity, such as wind or solar power. The restructuring of our electricity system will create jobs, promote investment and ensure that electricity customers in this province enjoy a reliable supply of power at the lowest possible cost. In fact, a recent analysis by Professor Fred Lazar of York University concluded that the competitive market could save Ontario electricity customers from \$3 billion to \$6 billion by 2010. I say, that is essential for business in this province and it's essential for all those consumers in this province.

But we can't ignore the fact that our aging electricity towers and wires require significant new investment to maintain and strengthen safety and reliability. For this year alone, capital expenditures are estimated at \$550 million for Hydro One's transmission and distribution businesses. Government does not need to use taxpayer dollars to fund the investment required in electricity transmission, any more than it does in natural gas pipelines or local telephone or cable companies. Government should not take funding away from priorities such as hospitals and education—schools—to pay for our electricity networks. Alberta and Nova Scotia have transmission businesses that are owned by the private sector, so why shouldn't Ontario explore all its options?

Government spending is not required and the taxpayers should not have to take on the added burden of providing financial support for an electricity network that can be better provided by investors. Hydro One must improve its efficiency, for the benefit of its customers. A company with private investors will respond more aggressively to incentives under performance-based regulations to lower costs and share the benefits with consumers.

Taxpayers, the Provincial Auditor and electricity ratepayers expect that \$38 billion in debt and other liabilities to be paid down. The faster this debt is removed, the sooner the savings from competition can be reflected in lower electricity prices for consumers.

1710

We believe that further restructuring of Hydro One is the best guarantee that the necessary investment needed for renewal and innovation will be made, that the existing debt will be paid down quickly, that the taxpayer risk will be eliminated and cost and prices will be better controlled.

Once legislation for Hydro One is introduced, we will continue our consultation with the people of Ontario through an all-party committee. This will focus further discussion and debate on the future of Hydro One, keeping our promise to consult with the people of Ontario on the future of their transmission and distribution system. Based on this input, the government will respond with the best course of action that achieves the goals for Hydro One.

**Mr Mario Sergio (York West):** I'm delighted to join the debate on the motion by our leader, Dalton McGuinty, with respect to hydro and the possible sale of Hydro One. I hope that every member of the House today will support Mr McGuinty's motion. It's not asking very much of the Premier and the government when he says, "Either you tell us what you're going to do with Hydro—don't sell it—or call an election and go to the people."

I think Mr McGuinty is quite right when he tells the Premier, "We want to know, the public wants to know and the public wants to have a say with respect to the sale of Hydro One." If the Premier, Mr Eves, says, "We are going to sell it," then we are saying, "Before you sell it, go to the people. Consult the people."

When the Minister of Energy says, "We are consulting with the people"—you cannot consult with the people for two or three months and then make a deal after this Legislature is adjourned at the end of June and make a decision in May. We would like to make a decision in this House on behalf of the people of Ontario and we want to know exactly what the government is proposing as to the sale of Hydro One.

What is Hydro One? It is the only transmission line available that brings energy into the homes, industries and businesses of Ontario. There is no other. It's like selling the 407 and then trying to build another 407 next to it. It is impossible to build another 407 along the existing 407. It's sold, it's gone, and we cannot provide another 407. Therefore, we cannot provide another transmission line once this one is sold.

I think our leader, Mr McGuinty, is quite right when he says, "Mr Premier, the people of Ontario want to know. Don't sell Hydro One, and if you do, then call an election. Consult the people and see what the people have to say."

Why are we at this particular juncture dealing with the sale of Ontario Hydro? Did the people say, "Yes, it's beneficial to us"? Absolutely not. There is nothing the

public of Ontario, the citizens of Ontario, will benefit from with the sale of Hydro One.

Therefore, I would say to Premier Eves and to the members of the government, do not have a fire sale, do not rush into the sale of Hydro One, because there is no plan. They have not shown the people of Ontario that indeed there is a plan which makes sense, that the people of Ontario can benefit from it.

I think the people of Ontario are quite right when they say, "What is Hydro One? Why are they selling it, and why now?" We can't believe that the Premier is considering selling all the assets of Hydro One to pay down the debt. After all, Hydro One is making money for the citizens of Ontario.

We have seen the proof with the Bruce generating station, which was privatized and sold to an English conglomerate, and we couldn't make a profit; we were not showing a profit. Indeed, in the first quarter since that generating station was privatized, they are showing a profit of \$250 million. Isn't it nice that we are selling all the assets that are making money on behalf of the people of Ontario?

I think it's quite wrong that the Premier continues to say we are going to sell it through the Minister of Energy when the Premier himself said the deal is off the table. I think we are in a position to say to the Premier, "Let us know. Through this House, tell the people of Ontario exactly what your position is." The problem is that they don't have a position because their position keeps on shifting, changing—not by the day, but by the hour. It's on the table; it's off the table; it's under the table. We are going to have it partly private, partly sold. We're going to sell it; we're going to lease it. We are to create a trust fund. Who is going to be able to afford to invest in a trust fund? Certainly not the working people of Ontario.

That is why we should try to protect this wonderful facility which, if sold, will not come back into the hands of the people of Ontario any more. You know what? Like the 407, we will be at their mercy. Once it is gone, we have no resource, no control with respect to the rates, and they will go high. So when I hear the members from the government say, "Give us a chance; the rates will come down"—no, we have already seen what the government can do, and so far they have been extremely disappointing with their promises. Why should we, the people of Ontario, believe the government and the Premier now today? I don't think so.

I say to the Premier and the members of the government, do the right thing. Support the motion that has been tabled today by the Leader of the Opposition, the Liberal leader, Dalton McGuinty here. It is quite proper to say to the government that there is no benefit in selling Hydro One. If you do, before you do, go to the people of Ontario and call an election. It is such a huge issue, it deserves a consultation with the people of Ontario. I do fully support our leader, Dalton McGuinty, and his motion today.

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to join in this debate. I want to remind people at

home that this is a debate calling upon the government to either keep its promise to take the sale of Hydro One off the table by abandoning its plans to proceed with legislation that would enable the government to privatize Hydro One, or to call a general election on this issue. New Democrats support this resolution. We're going to vote for it.

But I want to ask the members of the Liberal caucus, where were you a year ago when New Democrats brought forward a resolution calling on the government to cancel privatization? All of the Liberal members spoke against it. In fact, all of the Liberal members—Bartolucci, Caplan, Cole, Conway, Crozier, Di Cocco, Gerretsen, Gravelle, Hoy, Peters, Phillips—voted with the Conservative government in favour of privatization.

Where were the Liberals when, this past fall, on October 31, 2001, the Liberal energy critic, Mr Conway, mailed out a letter to the people on Bay Street in favour of Hydro privatization? In the letter he says, "Throughout Ontario's electricity restructuring process, Dalton McGuinty 'and the Ontario Liberals have been consistent supporters of the move to an open electricity market in Ontario' and of the restructuring, ie, privatization. Then please send your \$350 cheque to the Liberal Party."

Where were the Liberals on December 12, 2001, when the then Harris government announced that it was going to privatize Hydro One? Liberal leader Dalton McGuinty is quoted in the Canadian Press as saying, "Privatizing ... was the right move, but should have been done following an open debate in the Legislature." I can only conclude that just as this government is trying to flip-flop day to day to confuse the public, Liberals have been doing the same. But I'm glad to have the opportunity to debate this resolution, and I want to speak to the people at home, because this is who it matters to.

1720

This is probably the most important economic issue facing us today. What we have had in Ontario is a dedicated electricity system, a system dedicated to serving the consumers of Ontario and the industries of Ontario, and the mandate was to provide power at cost. If you look over the last 20, 30, 40, 50 years, Ontario has enjoyed some of the most reasonable and affordable electricity prices. But more importantly, we have enjoyed predictability and reliability of supply, knowing that when industries want to operate, the electricity would be there in a reliable, predictable form and at prices that could be predicted.

What this government has in mind is to sell off our dedicated electricity system so that we will no longer have an electricity system that is dedicated to serving us. What they have in mind, in fact, is to create a system whereby more and more of the hydroelectricity that is produced in Ontario is sold into the United States, where prices are already much higher, because the United States, in many state jurisdictions, has already gone down this road of privatization and deregulation, so their prices are much higher.

I invite you to make a comparison. Look at the price of hydroelectricity as provided by publicly owned



utilities and compare it to the price of electricity where it is privately owned and deregulated. Do you know what you'll find? In every case the price of publicly owned power at cost is much cheaper. Compare Manitoba Hydro and the price of electricity there with California, Pennsylvania, Montana or New York and you'll be amazed at how much more reasonable the price is in Manitoba. Or compare HydroQuébec or BC Hydro. Without exception, where provinces have kept control of their own electricity system and operated it as a public utility, the cost of hydroelectricity is much less than where it's been privatized and deregulated.

You've heard a lot of the Conservatives here spouting their line today. Let them say what they want; I want to say to you that the really important document is a document called the prospectus. When this government decided they wanted to privatize hydro, they had to put forward a prospectus, and the prospectus has to list what the business is, what the liabilities are, what the assets are, what the so-called strategic plan is. If you don't tell everything in the prospectus, it's a criminal offence. You can go to jail. What you find in the prospectus is a detailed list of what is going on.

I invite you to get this prospectus—the government says it should be available—and go to page 48. It lists the strategy of a privatized Hydro One. Do you know what it says? "Our goal is to be one of the leading electricity delivery companies in North America," not Ontario. "We will seek to achieve this goal and to enhance our profitability by continuing to implement the following strategies." Then it says, "Our transmission network runs the length of the entire Great Lakes region, positioning us to serve as a significant link between Canadian electricity generation sources and large neighbouring markets in the United States."

In this document where they cannot tell a lie, otherwise they face a criminal offence, they admit the whole strategy of selling off Hydro One, of Hydro One expanding its transmission lines under Lake Erie, into Michigan, into Pennsylvania, into New York, is to sell electricity generated in Ontario into markets in the United States where they can get a higher price. That's the strategy. And let me tell you the price of electricity in New York City is double what it is in Toronto, the price of electricity in Boston is almost double, the price of electricity in Chicago and Detroit is almost double.

After the Bay Street cronies, the Bay Street friends of this government, succeed in privatizing, after they've sold it off and purchased the transmission lines into Boston, New York, Chicago and Detroit and can get a much higher price there, what do you think they're going to ask Ontario consumers to pay? They're going to say, "Well, if we can get this amount of money selling the electricity to New York, this is what you must pay."

Right now as a public utility we are essentially exempt from the North American Free Trade Agreement, as are Hydro-Québec and Manitoba Hydro; that is, we can look after our own people in Ontario first at a lower cost, a lower price, and then, if there is a surplus from time to

time, we can sell that surplus into the United States at whatever higher price there is, and that money flows to the ratepayers of Ontario to maintain our system. We're NAFTA-exempt.

But should this government have its way and privatize the system, we would then be required under NAFTA to give up that two-price system. NAFTA says you can't have a lower price for Ontario consumers and Ontario industry and then sell the excess at a higher price. You have to let the market decide and, as you can read from the corporate plan of a privatized Hydro One, it's all about selling as much electricity in the United States as possible at a higher price. If Ontario industries and Ontario residents want to keep access to our own electricity, we would have to pay that much higher price too.

NAFTA also says you cannot control exports. You cannot say all this electricity is needed in Ontario; it can't be exported. NAFTA doesn't allow you to do that. NAFTA says the market will decide. Whoever is prepared to pay more money for the electricity gets it. That's what this is all about.

You know, I haven't heard anyone on the doorstep of this Legislature holding demonstrations demanding that we sell off our hydroelectricity generation or our hydroelectricity transmission. I've seen lots of articles in the business pages of the Globe and Mail and the National Post from this government's friends on Bay Street. Oh yes, they want it privatized, because they see the opportunity to make a lot of money here. First they make money selling the electricity into New York, Boston, Chicago and Detroit at much higher rates, and then they say to the 11 million people across Ontario, "This is the new rate."

Boy, people can make a lot of money here. Do you want an indication of how much money can be made? Since the Conservatives put this plan in place—since they started working on this—the salaries of the people who work at Hydro One have gone from about \$400,000 a year to the president and chief executive officer to now over \$2.5 million, and the people behind her, \$1.5 million. If the government privatizes or refuses to privatize—their choice—the four top executives would get at least \$12.5 million in payouts. That's the kind of money that can be made, and this government is looking after—

#### **Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm very pleased to join the debate with respect to the motion put forth by the opposition. To be candid, there's nothing before the Legislature today with respect to Hydro One; nothing at all is in front of the Legislature. What has happened with respect to the electricity market, as my constituents are aware, is that it did open May 1.

In my riding of Barrie-Simcoe-Bradford, the source to obtain your electricity in the city of Barrie is Barrie Hydro. That hasn't changed. That availability is still there. In Bradford West Gwillimbury you can obtain your electricity through Barrie Hydro also. In the town of Innisfil you can obtain your electricity through Innisfil Hydro.

1730

To make it very clear, what we want to deal with here is what is before us. I think the public is confused enough as it is. There should not be any confusion in terms of what happened on May 1. Nothing has really changed. The availability in terms of how you purchase your hydro, certainly in my riding, has always been fairly simple. But what also happened on May 1 is that there is a greater choice in terms of where you want to get your hydro. I'm pleased to say that in the first 20 days of the market opening, electricity prices have averaged 2.9 cents per kilowatt hour, well down from the previously regulated price of 4.3 cents a kilowatt hour. What happened on May 1 was that there was a market opening.

It's also important to know that there hasn't been a deregulation of the electricity sector. In fact, for the first time, the transmission and distribution of electricity will be strictly regulated by the Ontario Energy Board in order to protect customers. That's the regulatory body that will deal with electricity prices.

As well, the Ontario Energy Board has been given increased powers to license market participants and ensure they abide by the rules. We've put in place tough customer protection laws for energy marketers. They require electricity retailers and gas marketers to operate fairly and honestly. They have to be licensed with respect to being able to operate and they have to be licensed through the Ontario Energy Board. The Ontario Energy Board has the authority to levy financial penalties against a retailer or revoke or suspend its licence if there is a violation of the code of conduct.

There is zero tolerance for anyone engaging in questionable marketing practices. The Ontario Energy Board's director of licensing sent a clear message on April 25 by serving two electricity retailers with notices of fines for violations of the electricity retailer code of conduct. The government is doing its part through consumer education to ensure there is no misinformation in the market, and we have an extensive consumer education program aimed at developing a broader awareness.

It's important for the public to understand the sources of hydro that they have within their area, whether it's local—as in my area, *Barrie Hydro* or *Innisfil Hydro*. If they wish to go forth and try to get a price increase, or if you're looking at a decrease in terms of their operations, they've got to go through the Ontario Energy Board. That's the accountability that we have with respect to the electricity market, which a lot of people have to understand.

When we gave the opportunity to the city of *Barrie* in terms of how they wanted to operate *Barrie Hydro*, they had the choice to operate it as a profit corporation or as a non-profit corporation. The city of *Barrie* went ahead, as well as the town of *Innisfil*. They had the choice; they could decide to operate it as a profit or a non-profit corporation. They chose to operate it as a profit corporation in *Barrie*. That's not necessarily how I would have agreed to operate that particular operation, but that's what they chose. The council of the city of *Barrie* made

the decision that they wanted to operate *Barrie Hydro* as a profit corporation. Their accountability is to the taxpayers of *Barrie*, but in terms of making them accountable in terms of the electricity market, it's to the Ontario Energy Board. There's a very simplified procedure in terms of how to make them accountable.

What the opposition wants to put forth today in the Legislature and what they want to talk about, which is not in front of the Legislature, is *Hydro One*; how *Hydro One* will operate. It's a premature question. Certainly it's a question for the future.

The question is, what is the model for *Hydro One*? There's a lot of debate around that in terms of whether it should be under public ownership or private ownership, whether there should be different methods of public control. But the bottom line is—

**Mr James J. Bradley (St Catharines):** You said the other day you wanted it under public ownership.

**Mr Tascona:** I said public control, to the member for *St Catharines*.

What we want to deal with here are a number of issues with respect to *Hydro One* as we move away from just dealing with the opening of the market. With respect to *Hydro One*, we know they are facing a debt. They have a debt of about \$38 billion. That's a fundamental issue that has to be dealt with: how do you remove that debt load? There is also an issue with respect to how you make *Hydro One* more efficient. Certainly there have been methods and progress with respect to *Hydro One* in terms of getting them to operate more efficiently. The bottom line is they still have that debt load. We have to look at ways to make it the most effective operation it can possibly be regardless of the ownership issue.

I want to be clear about this with respect to what we're dealing with here today. We're dealing with a process that we put in place. The Premier has said that he wants input from the public with respect to how *Hydro One* should be operated; in other words, the model in terms of how *Hydro One* should be operated. Yes, a court decision was rendered with respect to a number of issues. One of them was the right of the province to sell off *Hydro One*. That decision, as I understand it, has been appealed on a number of issues, not only dealing with the province's right to sell its own assets—not specifically just dealing with *Hydro One*—but also dealing with who has standing; in other words, who can go before the court in terms of a particular issue.

There are a lot of issues coming out of that. I would say it's not all just dealing with *Hydro One*; it's dealing with the fundamental question of what the government can do with its own assets and who has the right to object to a decision of the government, fundamental decisions that will be decided by a higher court. May I dare say, who knows how that will come out? But we have an appeal process, the Court of Appeal, and we also have the Supreme Court of Canada to deal with these fundamental legal issues, which are side issues with respect to how *Hydro One* can operate most efficiently and how you deal with their debt.



The opposition, with their motion here, wants to confuse the issue. They're good at confusing the issue. The bottom line is, consumers want to know where they're going to get their electricity. In the city of Barrie they get their electricity from Barrie Hydro. In Innisfil they get their electricity from Innisfil Hydro. Let's keep it simple.

As I said last week, certainly I'm in favour of looking at this issue. In terms of a model for Hydro One, it's public control. But we also have to deal with their debt. We also have to make sure that they effectively operate and that we have accountability for that particular operation. I've said my piece with respect to this motion.

**Mr Bradley:** I'm speaking in favour of the motion that Dalton McGuinty has put before the House today to prevent the sale of Hydro One to the private sector. I think anyone who looks objectively at Hydro One, the transmission grid in this province, would recognize that it would naturally be something that is best kept in public ownership and public hands. Even if we think of what happened on September 11 of last year and the security aspects that surround this major transmission grid, we would recognize that it is something that simply for security reasons, if for no other reasons, should be in public hands, protected by public institutions.

What the government is proposing when it sells it would be similar to selling all the 400-series highways—the Queen Elizabeth Highway, Highway 400, 401 and so on—across the province that we control now, that help us deal with commerce, that help us deal with transportation. To sell those off to the private sector would be a major mistake. To sell the highway system for electrical power in this province is a mistake.

I was heartened a bit to hear the Premier of the day waffling on this issue. Certainly his opponent Mr Flaherty accused him of that, and we have seen a lot of disarray within the government ranks on this issue, because they recognize that the people of this province want to retain the transmission grid for our purposes. Hydro One now adds \$334 million a year to the revenue base of the provincial coffers, all of which would be forgone if Hydro One were to be sold to the private sector. The province would lose control over the activities of the transmission company. After the IPO, Hydro One's board of directors must act in the best interests of the shareholders and not the best interests of the taxpayers of Ontario.

1740

People are also repulsed by the fact that there appear to be a few insiders who have an opportunity to make a great deal of money—hundreds of thousands or millions of dollars—through their involvement with Hydro One and its privatization. That's another issue which is concerning people out there. A lot of people who are struggling to make ends meet, when they hear of the potential severance packages, when they hear of the benefits that these individuals could possibly get from this sale, are extremely worried and they're quite angered.

Another aspect all of us encountered is that of fraud taking place in the province now. I think anyone ob-

jectively would look at some of the sales methods being used to sign up vulnerable citizens in our province, those who don't necessarily understand the intricate details of a contract. I suggest that's about 99% of the people in this province. Some of the tactics that have been used, even tactics that involve signing another person's name to it, are fraudulent practices. Our member for Prescott-Russell, for instance, mentioned that his name had been signed on a contract. So there's not enough protection there. What we need is the Ontario Energy Board to have the appropriate level of staffing, the financial resources and the clout to be able to administer this.

All of us are encountering this. Certainly in my municipality I see people who say, "Look, whatever you do, please retain Hydro One, that important transmission grid, in our own hands." The government is going through with the appeal in court. We can't stop that. The government has that prerogative. I don't agree with appealing that decision but they are doing so.

What I do disagree with is this government at the last minute, in the last days of the Legislature, introducing and trying to pass legislation which will be called enabling legislation. That is pretty vague legislation that permits, enables or allows the government to take any course of action it deems appropriate.

We saw, when there were so-called hearings with the Minister of Energy, that he sat in the hearings until somebody objected to what he said. Then he stormed out of the hearings and argued with everybody who wanted to make a presentation. So it wasn't really a hearing process, in effect; it was a process of trying to put forward the government position, the government propaganda.

I'm glad to see that the leader of the third party, Howard Hampton, has now joined us in our opposition to Hydro One. It's good to see him on board—always happy to see him join us in this regard. I would say to all members of the House that I think this is a resolution you could appropriately agree with. This is an opposition day motion which all of us in this House should be supporting with enthusiasm.

**Mr John Gerretsen (Kingston and the Islands):** I too am very pleased to join this debate because I believe that this is the most important issue, second to the ongoing issues we have with our health care system, that has come before this House over the last seven years.

I know the government and indeed the NDP have been trying to confuse this issue as to who is on whose side on what. But let's make it perfectly clear that our electricity system is basically made up of three components: we have the generation component, we have the transmission component and we have the consumer aspect of it. On the consumer side, I totally agree there should be tough regulations and people should be able to compare apples to apples. It's with that in mind that many of my colleagues and I have recently produced an electricity update for the people in our constituencies to make them aware as to the kind of questions they should be asking and that they should be looking out for when the retail people come out to sell them different contracts.

But that's not what this particular debate and resolution are all about. This resolution is very simple: we do not want the government to sell Hydro One. We do not want the government, in other words, to sell the transmission lines that connect the generating capacity to the consumers in their homes or in their businesses. It's as simple as that. If we do not, as a government and as the people of Ontario, control that link between generation and the consumer aspect, the retail aspect, we in effect will be losing control of the electricity system of this province. I can think of no greater public utility than the electricity system that's out there, that successive governments have worked on over the last 100 years, under whatever stripe.

People keep talking about the stranded debt. It is a major problem, but how did this stranded debt occur? A lot of people will say, "There was mismanagement within Ontario Hydro. It was bulky. There were too many people. It just grew and nobody had control over it." Yes, that may have been part of the problem, but let's also remember that it has also been used, over the last 100 years, by successive governments as an economic development tool, the whole notion being that if we give industry cheap power, they will locate their plants in Ontario and people will be working in these plants. Community after community has benefited from that particular policy. In other words, that stranded debt is a real number but you cannot blame it totally on the hydro production system in this province over the last 100 years. If the electricity had really been sold at cost, we wouldn't have any more of a debt against Ontario Hydro than what the facilities are worth right now. It has been used as an economic development tool from which we've all benefited.

Should it be paid off? There's no question about it. But one way to pay this stranded debt is not by going out and selling Hydro One, and that's really what this government is doing.

You may recall, Speaker, last week we could not even get a commitment from the Premier and from the Minister of Energy to the effect that if Hydro One is sold—and we're dead set against it—will that money be used—whatever the proceeds are, the \$5 billion or \$7 billion—to pay down the stranded debt? There was no commitment given on that at all. In other words, they may very well use it in order to balance their budget in this year and the next. For us to sell one of the main assets in the province of Ontario for that purpose is absolute lunacy.

I say to my friends in the NDP, we may not agree on every aspect of this particular issue, but on the issue that Hydro One should not be sold, surely we can all agree. I attended a few meetings in Kingston where our position as Liberals was totally misrepresented by the NDP representatives who were there.

I would say to the people of Ontario, we can disagree about a wide variety of issues, but the worst thing that we can do as a province is to sell Hydro One. I would urge people—

**Mr Rick Bartolucci (Sudbury):** And to play politics with it.

**Mr Gerretsen:** And to play politics with it. I would urge people to contact their MPPs, no matter what political stripe, and tell them, "We do not want Hydro One sold under any circumstances whatsoever." It is an asset that's owned by the people of Ontario and should remain in the people's hands.

I would urge the members opposite to vote in favour of this very sensible resolution.

**The Acting Speaker:** This concludes the time allocated for debate. I will now place the question.

Mr McGuinty has moved opposition day number 1. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Acting Speaker:** All those in favour will stand to be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Crozier, Bruce	Martin, Tony
Bartolucci, Rick	Di Cocco, Caroline	McGuinty, Dalton
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gerretsen, John	Parsons, Ernie
Bradley, James J.	Gravelle, Michael	Peters, Steve
Bryant, Michael	Hampton, Howard	Prue, Michael
Caplan, David	Hoy, Pat	Pupatello, Sandra
Christopherson, David	Kennedy, Gerard	Ramsay, David
Churley, Marilyn	Kormos, Peter	Sergio, Mario
Cleary, John C.	Kwinter, Monte	Smitherman, George
Colle, Mike	Lalonde, Jean-Marc	Sorbara, Greg
Conway, Sean G.	Marchese, Rosario	
Cordiano, Joseph	Martel, Shelley	

**The Acting Speaker:** All those opposed will please stand one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted	Gilchrist, Steve	Mushinski, Marilyn
Baird, John R.	Gill, Raminder	O'Toole, John
Barrett, Toby	Guzzo, Garry J.	Ouellette, Jerry J.
Beaubien, Marcel	Hardeman, Ernie	Runciman, Robert W.
Chudleigh, Ted	Hastings, John	Sampson, Rob
Clark, Brad	Hodgson, Chris	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Klees, Frank	Sterling, Norman W.
Cunningham, Dianne	Marland, Margaret	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Tumbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Eves, Ernie	Molinari, Tina R.	Wilson, Jim
Flaherty, Jim	Munro, Julia	Wood, Bob
Galt, Doug	Murdoch, Bill	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 40; the nays are 48.

**The Acting Speaker:** I declare the motion lost.



**ADJOURNMENT DEBATE****The Acting Speaker (Mr Michael A. Brown):**

Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Windsor West has given notice of dissatisfaction with the answer to a question given today by the Associate Minister of Health and Long-Term Care.

We'll pause for about a minute while we let the chamber clear.

Order. The member for Windsor West has up to five minutes to debate the matter, and the minister will have five minutes to reply.

**LONG-TERM CARE**

**Mrs Sandra Pupatello (Windsor West):** I believe this afternoon I asked a very relevant question of the Minister of Health and Long-Term Care. The question was very simple: how often does this minister take a bath? Eighty per cent of the Canadian public says they take a bath or a shower at least once a day. It's entirely reasonable to assume that this minister is in fact very average indeed. I would suggest that this minister probably takes a bath or a shower every day.

But that's not what we can say of our people who are subjected to home care services that have been cut under this government. The newly minted Premier of Ontario, who wants to show a kinder, softer face to the nation now, is the same man who as Minister of Finance cut the budgets that went to home care, so that those community care access centres in fact cannot give the same level of service that they gave even two years ago. Those community care access centres, struggling to find \$175 million to cut in services, where did they cut them? They cut them from services like personal grooming, from those people who are most vulnerable: the elderly, our seniors, those who are infirm. And what did they take from them? Instead of what they may have been getting, which was perhaps two baths a week, they were cut to one bath a week.

This afternoon when we asked this minister a question, what did he say? He started spouting some regulation that is affiliated to a nursing home. This minister clearly is so new on the job he doesn't understand that we were talking about home care. These are the people we thought we wanted to stay in their homes as long as they can. In fact, they are in their homes, and now, with the changes in the long-term-care sector, what you're doing is eliminating people from waiting lists, subjecting them to staying in home care where they get less service.

So I ask the minister again, how many times a week does he take a bath? Is it reasonable for us as government to ensure that people who are getting health services at home, where we want them to remain as long as possible, get one bath a week? We don't believe that it is. Our party stands on the side of seniors who want good service at home. Our party stands for seniors who want to remain in their home and still be able to live the way this min-

ister perhaps lives, and that is, like 80% of the Canadian public, taking a bath or a shower every day.

So is it reasonable, then, for this minister to stand today and give that kind of nonchalant and glib answer this afternoon, telling people that if you don't like what you get, make a complaint? You can't even find an office to complain to. And who would they complain to in the home care sector? To the government-appointed CCAC board? This, after you passed Bill 130, which made all of them government appointees, loath to criticize, loath to say, "We don't have enough service," because you'll just cut them off at the knees like you did last fall when this government introduced Bill 130.

I ask the minister again, how many times does he take a bath? How many times does his family take a bath? Is it reasonable for us in this House, who should all be very average people living average lives, to expect to give our elderly and our infirm some dignity staying in their homes? We want them to have dignity in their elderly years. We expect that government services are there for people when they need them, but under your watch, Minister, and under the watch of Premier Ernie Eves, you've cut funding to the elderly to the point of taking away their baths from two a week—and some find that's not enough—to one a week.

We heard today about a woman in Ottawa, 76 years old, with a hip issue, a leg issue, a stroke and a heart attack, at her home with severe osteoporosis, cut to one bath a week. I ask the minister, is that appropriate, is that the face of your government? Is this the face of the kinder, gentler Ernie Eves? He presided over budget cuts for seven years and now he's the Premier trying to show a kinder, gentler face to Ontario. That is not what this government is. This government is about hiding away the problems we have in home care, hiding them under the guise of Bill 130, stripping local home care organizations to the point of being government-appointed. Who do they answer to? The Minister of Health directly. You have the gall today to stand and say, "Complain to your local authorities"? Who would they complain to? They're in fact supposed to find this minister and complain to him. The very guy who is taking away the baths in the first place is the guy they're supposed to complain to. I say shame on this minister.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I rise today to respond to the unsubstantiated motion of the member opposite. I say to the member for Windsor West, she's very keen on mixing her words and playing politics with the most vulnerable segments of our population. In her question in this House earlier this afternoon she indicated, "Many of our seniors in long-term-care facilities are getting maybe one bath every 10 days." Those were her words.

I want to be very clear that this government is committed to providing quality, sustainable, long-term-care services in our province. Our primary concern is for patients and we take the concerns expressed about compliance very seriously. I want to say to the member op-

posite, if she has a specific complaint related to the issue of non-compliance in a long-term-care facility, I would urge her as an elected member of this assembly, and I'm saying that it is incumbent upon her, to speak on behalf of the most vulnerable and to issue a formal complaint.

If I could have one of the pages come forward, I have a copy of the Nursing Homes Act revised regulations, as well as the long-term-care facility program manual for the member opposite so she can read through what is required.

*Interjection.*

**The Acting Speaker (Mr Michael A. Brown):** Order.

**Hon Mr Newman:** I want to be very clear that these unsubstantiated allegations about bath times and the quality of care in long-term-care facilities are very serious. We take them very seriously, and I say to the member opposite that she should as well. I say to her, if you have a concern about compliance with any of our legislation or our regulations pertaining to a long-term-care facility, I would urge you to take the following steps: you can launch a complaint with the facility administration; you can launch a complaint with the local community care access centre or you can launch a complaint with the appropriate Ministry of Health and Long-Term Care regional office. I want to assure all members and the people of Ontario that formal complaints will be followed up on by a compliance adviser from the Ministry of Health and Long-Term Care.

Our government does indeed take compliance in long-term-care facilities very seriously. That's why we are the only government in over a decade in Ontario to shut down a long-term-care facility. That's not all. If the member opposite is so concerned about the issue of compliance, she should move to bring forward a formal complaint.

Further, you may be interested to know that the Liberal government did nothing when they were in government to meet this goal. I correct that; they actually did less than nothing. According to the Provincial Auditor's report in 1990, the Liberal government took no action related to compliance in the year 1989. An entire year went by and nothing happened. To put that into some sort of context, compared with the Bill Davis government's

record, that was a 100% decline in compliance-related activities.

Through the long-term-care compliance management program, the Ministry of Health and Long-Term Care will continue to ensure that the highest possible standards and quality of care are provided to residents of long-term-care facilities. The ministry is continuing to conduct annual reviews of long-term-care facilities. We also have an ongoing professional development and training strategy that has been developed for ministry compliance advisers involved in the inspection of long-term-care facilities.

The strategy focuses on best-care practices, competencies, multi-disciplinary team approaches and consistency in interpretation and application of long-term-care facility standards, regulations and legislation.

The member's question today also speaks about the levels of home care funding. I'm pleased to report that our government is committed to creating a strong community care system and ensuring the right people are able to access the right level of service at the right time. In fact, since 1995-96 home care funding in this province has increased by more than 72%, which is unprecedented. Indeed, it was our government that created community care access centres in 1996 to better manage community health care.

We provide the most generous level of home care services in Canada—approximately \$128 per capita. CCACs provide service levels as high or higher than any other province in Canada. To put that into a national context, six of 10 jurisdictions charge copayments for personal care and homemaking services. For example, in the province of Newfoundland they charge their clients 12% of the overall cost to the client and there is no charge in Ontario.

I would also say, in closing, that our government is committed to creating a strong community care system and ensuring the right people are able to access the right level of service at the right time.

**The Acting Speaker:** There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 1814.*



**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Norm Miller,  
Marilyn Mushinski, Michael Prue  
Clerk / Greffière: Anne Stokes

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Carl DeFaria  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Carl DeFaria, Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Lyn McLeod  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

# CONTENTS

Tuesday 21 May 2002

## MEMBERS' STATEMENTS

<b>School safety</b>	
Mr Agostino .....	185
<b>Bowmanville Maple Festival</b>	
Mr O'Toole .....	185
<b>Hydro corridor lands</b>	
Mr Sergio .....	185
<b>Pontian community</b>	
Mr Prue .....	186
<b>Member for Nipissing</b>	
Mr Miller .....	186
<b>High school graduation diplomas</b>	
Mr Bartolucci .....	186
<b>Margaret Lyon</b>	
Mr Maves .....	186
<b>Education funding</b>	
Mr Kennedy .....	187
<b>Georgina Awards of Excellence</b>	
Mrs Munro .....	187

## FIRST READINGS

<b>Victims of Identify Theft Act, 2002,</b>	
Bill 26, <i>Mr Bryant</i>	
Agreed to .....	187
Mr Bryant .....	187

## MOTIONS

<b>Committee membership</b>	
Mr Baird .....	188
Agreed to .....	188
<b>Private members' public business</b>	
Mr Baird .....	188
Agreed to .....	188

## ORAL QUESTIONS

<b>Homelessness</b>	
Mr McGuinty .....	190
Mr Eves .....	191, 195
Mr Prue .....	195
Mrs Elliott .....	195
<b>Hydro One</b>	
Mr McGuinty .....	192
Mr Eves .....	192, 193
Mr Hampton .....	192, 193
<b>Greenhouse gas emissions</b>	
Mr McGuinty .....	193
Mr Eves .....	193

## Automotive industry

Mr McGuinty .....	194
Mr Flaherty .....	194

## Liquor Control Board of Ontario

Mr Dunlop .....	194
Mr Hudak .....	195

## Ministry spending

Mr Smitherman .....	196
Mr Eves .....	196

## Elder abuse

Mr Barrett .....	196
Mr Young .....	196

## Multiculturalism

Mr Ruprecht .....	197
Mr DeFaria .....	197

## Long-term-care facilities

Mr Johnson .....	197
Mr Newman .....	197

## Aboriginal health care

Ms Churley .....	198
Mrs Elliott .....	198

## Long-term care

Mrs Papatello .....	198
Mr Newman .....	198

## Highway improvements

Mr O'Toole .....	199
Mr Sterling .....	199

## PETITIONS

### Post-secondary education

Mr Duncan .....	199
-----------------	-----

### Long-term care

Ms Martel .....	200
-----------------	-----

### Competitive electricity market

Mr Barrett .....	200
Mr Christopherson .....	202

### Professional learning

Mr Kwinter .....	200
Mr Parsons .....	202

### Ontario disability support program

Mr Christopherson .....	200
-------------------------	-----

### Abortion

Mr Martiniuk .....	201
--------------------	-----

### Hydro One

Mrs McLeod .....	201
------------------	-----

### Child care

Ms Martel .....	201
-----------------	-----

### Education funding

Mr Johnson .....	202
------------------	-----

### Horse riding safety

Mr Klees .....	202
----------------	-----

## OPPOSITION DAY

### Hydro One, opposition day 1,

<i>Mr McGuinty</i>	
Mr McGuinty .....	203
Mr Marchese .....	205
Mr Gilchrist .....	207
Mr Bryant .....	211
Mr Christopherson .....	213
Mr Miller .....	215
Mr Sergio .....	217
Mr Hampton .....	218
Mr Tascona .....	219
Mr Bradley .....	221
Mr Gerretsen .....	221
Negated .....	222

## OTHER BUSINESS

### Visitors

The Speaker .....	187
-------------------	-----

### Legislative pages

Mr Parsons .....	188
------------------	-----

### Ross Mackenzie Whicher

Mr Murdoch .....	188
Mr Bradley .....	189
Ms Churley .....	190

### Notice of dissatisfaction

The Acting Speaker .....	203
--------------------------	-----

## ADJOURNMENT DEBATE

### Long-term care

Mrs Papatello .....	223
Mr Newman .....	223

## TABLE DES MATIÈRES

Mardi 21 mai 2002

## PREMIÈRE LECTURE

### Loi de 2002 sur les victimes

<i>de vol d'identité, projet de loi 26,</i>	
<i>M. Bryant</i>	
Adoptée .....	187

## AUTRES TRAVAUX

### Visiteuses

<i>M<sup>me</sup> Boyer</i> .....	188
-----------------------------------	-----





CA20N  
XI  
-D23  
No. 7

N° 7

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 22 May 2002

Mercredi 22 mai 2002

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### AUTOMOTIVE INDUSTRY

**Mr Monte Kwinter (York Centre):** The Minister of Enterprise, Opportunity and Innovation is today convening a round table to address problems facing the automobile industry in attracting new investments in Ontario's automotive sector.

This meeting is being held in an environment of several plant closings, the loss of 15,000 well-paid jobs and the reality that in 1999 Canada ranked fourth in world auto production. In 2001, we had dropped to seventh place, and it is estimated that by 2005 we will fall to ninth place.

Of 16 new assembly plants built or announced in North America since 1990, Ontario received just one. This is a concern because new assembly plants create jobs as well as support the many automotive parts companies. The auto sector employs one in six people in Ontario, and a major determinant for attracting automotive investment is support for infrastructure and skills development.

Shortly after the government assumed office in 1995, the then Minister of Economic Development and Trade stated that it is not his government's role to provide assistance to particular industries. During estimates committee in November 2001, the then minister spent 30 minutes in an opening statement about his ministry and never once mentioned the automotive sector.

With evidence of such indifference, how can we have any assurance that the round-table discussions will be little more than a public relations exercise with no real, tangible commitment to the sector that provides the engine that drives the economy of Ontario?

#### CHINESE FREEMASONS

**Mr Bob Wood (London West):** I rise today to inform all members of the House that the 82nd anniversary of the London chapter of the Chinese Freemasons and the 21st anniversary of the Dart Coon Club, which was incorporated to hold the properties of the Chinese Freemasons, will be celebrated in London on May 26 with an anniversary dinner and dragon dance.

Last year, the London chapter hosted the 32nd National Convention of Chinese Freemasons in Canada, with representatives of the Zhi Gong political party from China in attendance.

Chinese Freemasons have been in Canada for 140 years. Because immigration laws discriminated against Chinese and prevented families from joining husbands and fathers, the Freemasons provided financial and social support for the men. Today, the Freemasons have 10,000 members in 19 branches.

The spirit, traditions and values of the Chinese Freemasons are constant. Their goals are to support their motherland, to participate in social services in their adopted country and to assist the Chinese communities in Canada.

The organization shares roots with the better-known Masons in Canada. They have a logo, handshake and some ceremonies in common. An important difference is that the Chinese Freemasons have regular memberships for women.

I know all members of the House will join me in wishing the Chinese Freemasons a very successful 82nd anniversary in London.

#### CANADA SOUTHERN RAILWAY

**Mr Steve Peters (Elgin-Middlesex-London):** I rise in the House today to bring attention to an issue of great importance: the future of the Canada Southern Railway. This is a railway that spans 220 miles from Windsor to Fort Erie. Canadian National and Canadian Pacific, the owners, are abandoning the stretch of line from St Thomas east to the Niagara Peninsula. Understandably, municipalities from Elgin and Oxford, St Thomas and Tillsonburg, and Haldimand and Norfolk are very concerned about the future of this important transportation corridor. A number of meetings have taken place in an effort to find a way to preserve the corridor and allow the municipalities to purchase the line.

In 1998, this province spent \$2 million in partnership with Barrie to acquire a CN line; \$2 million also went to assist in purchasing the Orangeville line.

I was very pleased to hear the encouraging comments made by the Minister of Transportation last week, demonstrating his recognition of the railway's importance. The minister said, "I only wish that we had, over a longer period of time, kept more of the railway corridors so that in the future we would have the opportunity to bring forward many of the transit options for the future."

With these words in mind, and on behalf of all those municipal representatives and politicians who have worked so hard to preserve this corridor, I am today formally requesting that the Minister of Transportation meet with these officials in order to preserve CASO's future. I'd be very pleased to participate in any co-operative efforts between the ministry and those municipal officials with the goal in mind of preserving the Canada Southern Railway.

#### HOLY TRINITY CATHOLIC HIGH SCHOOL

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** For the first time, students in Haldimand and Norfolk counties are being given the opportunity to access a Catholic secondary education in their home community. Holy Trinity Catholic High School opened its doors in Simcoe this past September, giving Catholic teens in our area a real choice for their secondary education. Previously, students from our area would have to be bused into Brantford if they wanted to attend a Catholic high school. Students and parents deserve the right to choose. Holy Trinity gives parents in Norfolk and Haldimand choice and provides a nearby, close-to-home Catholic high school without sentencing students to a bus ride to the city.

I was fortunate enough to be given the opportunity recently to attend the blessing and the official opening of Holy Trinity. The bishop of London, His Excellency John Michael Sherlock, officiated at this momentous occasion. He arrived and was escorted by the Knights of Columbus. The evening was the culmination of years of hard work and planning by the board, director Joe Rapai, principal Floyd Kennedy, staff, parents, volunteers and other members of the community.

After getting a first-hand look at this impressive facility, I'm happy to say that we have a wonderful new state-of-the-art learning institution that's positioned to serve Catholic secondary education needs in our area for many years to come.

#### DEVELOPMENT OF AGRICULTURAL LAND

**Mr James J. Bradley (St Catharines):** While thousands of acres of prime agricultural land are gobbled up by development each month in Ontario, and the number of farms and farmers shrinks every day, the Conservative government of Ernie Eves stands on the sidelines, failing to take action to halt the loss of an irreplaceable agricultural asset which has permitted our province to grow much of its own food. The most recent agricultural census results show that there are now 27.6% fewer farms in Ontario than 20 years ago, and we have lost 11.5% of those in the last five years alone.

Bowing to pressure from developers who have poured millions of dollars into Conservative campaign coffers, and to some municipal politicians who will not be

satisfied until they have paved every last square inch of the land in their jurisdiction, this government weakened those provisions of the act that would put the brakes on ill-conceived, unjustified and unwise development of agricultural and environmentally sensitive lands.

Pressure to put asphalt and cement on the remaining fruitlands of Niagara is building, with severances granted without justification and farmland taken for development, aided and abetted by the Ontario Municipal Board.

On November 16, 2000, the Legislative Assembly passed by a margin of 51 to 8 a resolution that I presented to this House stating "that this House requests that the provincial government, through provincial policy, provide long-term protection for the unique agricultural areas both within the Niagara Peninsula and throughout the province."

It is time the government of Ernie Eves heeded that resolution.

1340

#### NORTHERN UNIVERSITY FUNDING

**Ms Shelley Martel (Nickel Belt):** The Ontario Confederation of University Faculty Associations has released a report showing northern universities get less provincial funding than southern universities. This means Algoma, Nipissing, Lakehead and Laurentian are trying to cope by placing more demands for revenue on the backs of their students. All but one have higher tuition and fee revenue than the system average of 41.4%, which itself is already higher than the 35% the Conservative government deems acceptable.

This discrimination adds to the crisis facing these universities as they try to find money to prepare for the double cohort. If the government thinks northern universities are in a position to do even more to meet enrolment needs, this government had better think again. In Sudbury, Laurentian University is already facing a 17.7% increase in enrolment for September 2002. At Cambrian College, applications are up 16.7% from last year, and at Collège Boréal, 18.9%. Northern universities and colleges can't look to fee and tuition increases to have the operating funds necessary to meet increased student enrolment.

The throne speech did nothing to ease student and faculty concerns about access and space. The vague statement that the government will provide the resources necessary to meet the double cohort, without announcing what these will be, doesn't solve this serious problem. The government must quickly announce that it will cover the financial needs of colleges and universities to meet the double cohort. The government must stop discriminating against northern universities, so that northern students don't suffer an added financial burden while trying to get a university education.



### QUILT PROJECT IN STRATFORD

**Mr Bert Johnson (Perth-Middlesex):** I rise to promote The Quilt, a breast cancer support project in Stratford. The Quilt was started by Carol Miller, the project's founder and executive director. Carol is a breast cancer survivor herself. In 1997, she began quilting as a way to keep her mind active and her hands busy. Carol and her support group created the first quilt project and requested donations from across the country. She was hoping to receive 35 quilts for her first year, but ended up receiving 134.

The Quilt project continues to grow. Last Thursday marked the launch of the 2002 exhibition of hundreds of quilts that have been donated from across Canada. One hundred per cent of the money raised goes directly to the Canadian Cancer Society. Carol Miller and her support group are to be commended for their passion and their commitment to this noble cause.

I also want to recognize The Quilt's honorary chair, Loreena McKennitt, the board of directors, the patrons and the many sponsors of this exhibition.

I'm pleased that the recent throne speech indicated that our government will build on the reputation that Ontario has as a global leader in cancer research and that it will launch a concerted effort to eradicate this disease.

I would encourage all members to visit the exhibition in Stratford all this summer or the exhibition at Casa Loma in Toronto from September 6 to October 27.

### AMBULANCE SERVICES

**Mr Dominic Agostino (Hamilton East):** Last Wednesday in this House, the member for St Catharines, Jim Bradley, and myself raised an issue regarding ambulance dispatch service in Hamilton, Niagara, Brant and Haldimand-Norfolk, this service being run out of Hamilton. This was the result of a report which was an absolute indictment of this government's performance in dealing with this dispatch service and their staffing, low morale, high staff turnover and lack of training. The minister, in response, said, "All the positions have been filled."

The reality is that I have a staff list from the Hamilton dispatch office. In reality, only 29 of the 44 recommended positions have been filled. The minister intentionally stood up and gave this House wrong information in regard to this.

**The Speaker (Hon Gary Carr):** Order. You can't say "intentionally stood up and gave wrong information." You're going to have to withdraw that.

**Mr Agostino:** I withdraw that. The minister gave wrong information to this House on a very serious issue, one where seconds in dispatch could mean life and death, one where there are two deaths in St Catharines being investigated as a result of problems with the dispatch system. This minister, instead of fixing the problem, sat on the report for six months and then came into this House and told us he had filled these 44 positions, when

the staff list very clearly indicates only 29 full-time positions have been filled.

This minister is more interested in public relations, damage control, than looking after the health and well-being of people in this area. It is a disgrace. This minister has to come clean with this House, fill those positions and stop playing games with people's lives in the province of Ontario.

### RICHARD LOVEKIN

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to a distinguished citizen from my riding of Durham, Judge Richard Lovekin. Sadly, he passed away on May 15.

Richard Lovekin lived a life devoted to his country, his profession of law, his community and his family. He was an officer in the RCAF in World War II. He served the legal profession with distinction and was appointed in 1977 as judge on the Ontario Superior Court of Justice, retiring in 1992.

The Lovekins have been part of the Newcastle community since 1796, when they were one of the first two families to establish farms in Clarke township. Richard Lovekin was the beloved husband of Lynn and father of Kathy Ewert, Carol Little, Rick and Janet. He was stepfather to Susan Davis and Michael Housley. He was a proud grandfather of 12 and great-grandfather of two. He was a loyal friend to his former law partner, Sam Cureatz, who was the MPP for my riding as well.

His many friends will remember his service to countless community organizations. Judge Lovekin was a member and past president of the Newcastle Lions Club and past president of the Durham Central Fair board. He was an active member of St George's Anglican Church in Newcastle and a director of the Newcastle Village and District Historical Society. Those are just a few ways Richard Lovekin served his community. Just last year the Lovekins' farm, Kilcolman, was one of the settings for a very successful exhibit of Massey farm equipment in Newcastle.

At the memorial service on Monday, Charles Ewert gave a fitting eulogy to Richard Lovekin's leadership in his community and family which sets an example for all. It is only fitting that I pay tribute to Judge Lovekin, and I extend condolences to the Lovekin family.

### VISITORS

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: We have some very special guests up in the Speaker's gallery today, residents of Leisure World from Don Valley East. I'd like to introduce Anne Skelly, Samantha Hamid, Kate Turvey and Ese Atiyota, who are here with residents Olive Gray, Bett Brockelbank, Terri McInnis, Mary Lepard, Mary Tyrrell, Robert Giles, Anthony Fernandez and Laura Lee Hodgins. Welcome to you all.

## WORLD CUP CELEBRATIONS

**Mr Rosario Marchese (Trinity-Spadina):** On a point of order, Mr Speaker: I'm asking for unanimous consent from the members—and I'm going to do this as quickly as I can:

"Whereas soccer is an Ontario sport enjoyed by millions of people right here in Ontario; and

"Whereas soccer fans around the world and indeed in Toronto, Ontario, are gearing up for soccer's biggest event, the World Cup, which begins on May 31;

"Therefore, be it resolved that the Legislative Assembly of Ontario will take all the necessary steps to make sure the province's soccer fans enjoy the best World Cup celebrations Ontario has ever seen—for example, by supporting the opening and staffing of SkyDome so fans like me can view and cheer all the live televised broadcasts of World Cup games during this highlight in soccer history."

**The Speaker (Hon Gary Carr):** Is there consent? I'm afraid I heard some noes.

## VISITORS

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: We have with us in the members' gallery west—

*Interjections.*

**Mr Bisson:** If I can get the attention of the Liberal caucus for just one second, I'd like to introduce to the Legislative Assembly Chief Mike Metatawabin and his son, Meshen, who are here from Fort Albany, and I wish them well in all the work they do in that fine community.

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
REGULATIONS AND PRIVATE BILLS

**Mr Rosario Marchese (Trinity-Spadina):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill without amendment:

Bill Pr1, An Act respecting the Tilbury Area Public School and the William J. Miller Trust.

Your committee begs to report the following bill as amended:

Bill Pr2, An Act respecting Wycliffe College.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

## INTRODUCTION OF BILLS

VOLUNTEER FIREFIGHTERS  
EMPLOYMENT PROTECTION ACT, 2002LOI DE 2002 SUR LA PROTECTION  
DE L'EMPLOI DES POMPIERS  
VOLONTAIRES

Mr Arnott moved first reading of the following bill:

Bill 30, An Act to amend the Fire Protection and Prevention Act, 1997 in order to protect the employment of volunteer firefighters / Projet de loi 30, Loi modifiant la Loi de 1997 sur la prévention et la protection contre l'incendie afin de protéger l'emploi des pompiers volontaires.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ted Arnott (Waterloo-Wellington):** I am very privileged to rise on behalf of my constituents in Waterloo-Wellington to introduce this bill to the House. This bill would protect salaried firefighters who also work as volunteer firefighters. They may not be disciplined by an association of firefighters or dismissed by a fire department for holding both positions if this bill is passed into law. It's my understanding and my hope that this bill will be debated at second reading on June 6.

1350

SCHOOL BUS DRIVER  
APPRECIATION WEEK ACT, 2002LOI DE 2002 SUR LA SEMAINE  
DE RECONNAISSANCE  
ENVERS LES CONDUCTEURS  
D'AUTOBUS SCOLAIRES

Mr Parsons moved first reading of the following bill:

Bill 45, An Act to make the first week in September school bus driver appreciation week / Projet de loi 45, Loi faisant de la première semaine de septembre la Semaine de reconnaissance envers les conducteurs d'autobus scolaires.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** School bus drivers in Ontario are truly unsung heroes. We call upon them to drive a large vehicle with over 70 students in it, at times at highway speeds, maintaining discipline on the bus, also ensuring students can get off and on the bus safely, also serving as counsellors and advisors—just a tremendous range of roles for what is really a part-time occupation. This bill is an opportunity for the people of Ontario to recognize their contribution to the province and to our children and to say thank you on an annual basis.



ELECTRICITY AMENDMENT ACT  
(CONSUMER PROTECTION), 2002

LOI DE 2002 MODIFIANT  
LA LOI SUR L'ÉLECTRICITÉ  
(PROTECTION DU CONSOMMATEUR)

Mr Hampton moved first reading of the following bill:

Bill 55, An Act to amend the Electricity Act, 1998 to protect consumers / Projet de loi 55, Loi modifiant la Loi de 1998 sur l'électricité afin de protéger les consommateurs.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Howard Hampton (Kenora-Rainy River):** The bill amends the Electricity Act, 1998, to provide that only distributors may sell electricity to consumers. Contracts for the sale of electricity to consumers by other retailers are without effect if made after the bill receives royal assent and voidable by the consumer if made before that time. The Minister of Environment and Energy is required to advertise the amendments to bring them to public attention.

GENOCIDE MEMORIAL WEEK ACT, 2002

LOI DE 2002 SUR LA SEMAINE  
COMMÉMORATIVE DES GÉNOCIDES

Mr Wood moved first reading of the following bill:

Bill 56, An Act to proclaim Genocide Memorial Week in Ontario / Projet de loi 56, Loi proclamant la Semaine commémorative des génocides.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Bob Wood (London West):** This bill proposes to observe an annual Genocide Memorial Week in Ontario beginning in late March. The response to my earlier bills on this subject indicated a consensus in favour of the observance of such a week. I hope this bill will assist in determining whether there is a consensus around when such a week would be observed.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business: Mr Kwinter and Mr Brown exchange places in order of

precedence; and Madame Boyer and Mr Arnott exchange places in order of precedence.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

VISITORS

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: As we've all welcomed the new pages to the Legislature and Travis Weagant from my riding is a page, I'd just like to take this opportunity to welcome Travis's mom, his grandmother, his aunt and his two sisters. So if everybody would welcome them, please.

WALKERTON TRAGEDY

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: Recognizing that the second anniversary of Walkerton is upon us, I would seek unanimous consent to put a motion that next Monday, the leaders of the three parties in the House be invited to reflect on what happened at Walkerton, and that at that time the House have a chance to hear from all three leaders for up to five minutes each.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Is it agreed? I'm afraid I heard some noes.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Speaker, I have no difficulty if that's to be brought to the table at the House leaders' meeting. Any kind of notice would have been helpful, but when you do it that way, it becomes very difficult for me to make a snap decision on the spot. We have a meeting tomorrow at 10 o'clock; let's talk about it.

**Mr Howard Hampton (Kenora-Rainy River):** On the same point of order, Mr Speaker: What we're asking for is that the three parties have the opportunity to commemorate the second anniversary of the tragedy at Walkerton. So what I'm asking for from the government House leader is simply—and you can discuss the details tomorrow at the House leaders' meeting—an undertaking that it will happen.

**The Speaker:** What we'll do, members, is give the government House leader a point of order and then we'll wrap it up very quickly. You're going to have your government House leaders' meeting. We do that in private, not in the Ontario Legislature.

**Hon Mr Stockwell:** Mr Speaker, I appreciate the point you made. That's exactly the point. But when they start saying, "What we're asking for," it's fairly apparent that they've had conversations about this, excluding me.

*Interjections.*

**The Speaker:** That's why I'm glad I'm the Speaker and not a House leader.

**Mr Peter Kormos (Niagara Centre):** Further to that point of order, Speaker, let me assure the government House leader that we would never exclude you, Mr Stockwell.

**The Speaker:** We'll be here all day if everybody tries to get the last word in.

The member for Bruce-Grey-Owen Sound did advise me that he wanted to do a point of order prior to this, so the member for Bruce-Grey-Owen Sound on a point of order.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** Thank you, Mr Speaker, and yes, I did advise you. I thought it would only be appropriate today, since it is the second anniversary, that we do have a moment of silence for the people who suffered in the tragedy in Walkerton.

**The Speaker:** The member is asking for a moment of silence regarding Walkerton. Is there unanimous consent? Agreed.

Would all members and our friends in the gallery please join with us in a moment's silence.

*The House observed a moment's silence.*

1400

## ORAL QUESTIONS

### ONTARIO SECURITY

**Mr Dalton McGuinty (Leader of the Opposition):** My first set of questions today is for the Minister of Public Safety and Security. Ontarians will rightly be very concerned by the information you provided to them just a short while ago. You told us that there are terrorist organizations in Ontario and you told us just recently that an al-Qaeda sleeper cell was here in Ontario. Minister, having raised these concerns, what assurances can you now give Ontarians that these terrorist organizations are being rooted out and do not pose a threat to us?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I think the view of the OPP and other law enforcement agencies in the province and in the country is to give prevention the priority in terms of dealing with any perceived threat to this country or this continent. The indication that I was given yesterday during a security briefing is that the officials in this country, in this province specifically, have had some success not only in identifying a number of organizations within Ontario, within Canada, but with having a very direct and positive impact in discouraging the continued existence of one particular organization in the province. So I can indicate to members in the House that our law enforcement officials are doing an outstanding job in identifying and effectively ensuring that these kinds of groups, organizations and individuals do not inflict damage on this province or country.

**Mr McGuinty:** Minister, having raised these concerns, of course, you have a responsibility now to allay fears. You told us today that a sleeper cell of al-Qaeda terrorists—and that is your language, not mine—was located here in Ontario. That cell was under police observation until it left the province. You told us that you do not know where these terrorists went. If, as you tell

us, these people were in fact terrorists in Ontario under police observation, why were these terrorists not arrested?

**Hon Mr Runciman:** These individuals were under observation, as are other individuals, organizations and groups within the country and within the province of Ontario. Until they break the law, or plan to break the laws of this country, they can walk the streets of Canada as you and I can. They were under very clear and close scrutiny and surveillance and were discouraged from continuing their operations in this province. I think this is a good-news story in terms of the law enforcement agencies in the country and we should be applauding them.

**Mr McGuinty:** Minister, you tell us that there was an al-Qaeda sleeper cell in Ontario. You tell us that the members of this cell were and are terrorists. Surely the question I put to you is the one that would be weighing on the minds of Ontarians: if we had these people here in Ontario, if they are terrorists as you describe them and if they were in fact under police observation, how could you let them slip away? Why would you not arrest those people before they become terrorists? You called them terrorists. Surely there's a law in Canada against terrorism. You called these people terrorists, Minister. You raised this matter. Why did you allow these people to slip away and why were they not arrested?

**Hon Mr Runciman:** These are recognized international terrorist organizations. They are recognized around the world as such.

We do have the rule of law in this country, and the police cannot act unless there is some reason to do so.

One of my concerns—and it was a concern in my previous portfolio as well—is complacency in this country with respect to any threat to our security. This is not an American problem; this is a continental problem. We have to address it. We are addressing it very effectively in Ontario, and we should be proud of that.

### SCHOOL SAFETY

**Mr Dalton McGuinty (Leader of the Opposition):** This question is to the Minister of Education. On Thursday last, in fact in the morning, two teenage girls were attacked and sexually assaulted in Hamilton. At the time, these young girls were in school. They were in their study hall at the high school.

I believe—and I am sure that you would support this, Minister—that our children have the right to go to school in a safe and secure environment, and I am sure you would also agree that Ontario parents have the right to know that their kids are safe when they are at school.

As you know, Minister, I've laid out a safe schools plan just recently. One of the things it calls for is an investment in surveillance cameras, video cameras. That is a matter that is optional for individual schools and individual school boards, and it would be up to those boards and those schools to make a determination as to whether or not it would in fact serve their purposes and meet their needs.



Madam Minister, my question to you is, do you support my plan and will you make video surveillance cameras available to those schools that wish to have them?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I certainly share the concern of the Leader of the Opposition about the safety and security of the students and staff in the schools throughout the province of Ontario. Upon becoming Minister of Education, I had instructed the deputy and the staff at the ministry to take a look at a review of the Safe Schools Act in order that we can take a look at what we're already doing. In fact, that's legislation that was introduced by our government because we recognized a long time ago the need to keep our students and our staff safe and secure within our schools. We are going to be reviewing the legislation, and I can tell you that certainly the use of video cameras—and obviously whatever other means are necessary we are prepared to consider.

I just wish that when we had first raised this as an issue, you and your members had taken this issue seriously at that time.

**Mr McGuinty:** Madam Minister, I'm hoping that at some point in time you will truly recognize how serious a matter this is, move beyond the political rhetoric and make an important decision on behalf of Ontario children.

In March, a grade 2 student was molested by an intruder hiding in a washroom at Holy Name Catholic elementary school here in Toronto. A month later, a 13-year-old girl was confronted by a man in a washroom at Don Mills Middle School. Also, in April, two female students discovered a man lurking in a washroom at the St Lawrence elementary school. I wish these incidents were not escalating, but the fact is that certainly more are being reported.

Madam Minister, what I'm asking you to do is to consider a proposal I have put forward. I put it forward with a spirit of genuine commitment to ensuring that our schools are safer. I'm not talking about an expensive program. Principals and school board representatives are now saying that this is a good idea. I think it is inappropriate and unacceptable for you to say the matter is under review. I think you have to make a decision now. Will you or will you not fund video surveillance cameras for those schools which wish to make use of them?

**Hon Mrs Witmer:** I think if the leader had listened to my response—I'm quite prepared to discuss and include the issue of surveillance cameras with school boards and those who are concerned about the safety and security of our staff and our students. We are moving forward. I believe there is far more that we will need to do, because I would agree with you: the incidents of violence are increasing, and certainly the safety and security of our students and staff must be paramount in all of the decisions we make. So I can assure you I will certainly take this under consideration and I will discuss this with the school boards.

1410

**Mr McGuinty:** The superintendent of education in Hamilton, Jim Wibberley, said that all schools in his board would choose video surveillance, but they can't afford it.

The principal of Delta Secondary School, Mr Dave Hutton, echoes my call for cameras. Chris Murray, the chair of the parent council at Delta, the same high school where those two girls were assaulted last week, agrees that cameras are needed for security.

I respectfully suggest to you, Madam Minister, that the time for consideration is over. The time for action is here. I've put a plan on the table. It is very inexpensive, all things considered. What you should do in your capacity as minister is make video surveillance cameras available to schools today in Ontario to protect our kids. Will you do that?

**Hon Mrs Witmer:** I would just again emphasize the fact that our government in 2000 did introduce the Safe Schools Act, which did establish the Ontario—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. We've had our little yell back and forth. It doesn't matter to me; we'll sit here and there will be no question period. The minister gets to prepare the answer and listen more, so if you want to yell, she can prepare more to answer. It's fine by me.

Sorry for the interruption, Minister.

**Hon Mrs Witmer:** Again, I would just say that we have taken steps in the past. I've mentioned the Safe Schools Act in 2000. Let's also take a look at the access-to-school-premises regulation on September 1, 2001, which did give principals the authority to regulate who was allowed on school property.

Having said that, I agree with you: more needs to be done. I already have under consideration a review of the Safe Schools Act, and certainly the whole issue of surveillance cameras, which are already being used in some of our schools today, is an issue which I am prepared to discuss with our school boards.

## PRIVATIZATION OF PUBLIC SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. The people of Ontario want to know you aren't going to pull a fast one when it comes to privatizing public services. You've repeatedly said you intend to bring in a bill allowing you to privatize Hydro One. We think that's wrong. In court, your lawyers argued that your government could sell off any public entity or asset it chose. The judge, however, disagreed.

Premier, we don't want you to privatize Hydro One. Moreover, we want a guarantee that you are not going to introduce legislation that would allow you to privatize Hydro One and a number of other public agencies as well. Would you make that guarantee now?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The Minister of Energy is preparing legislation that would clarify the province's rights that it

thought it had inherently with respect to the ownership of certain assets and property. He'll have to wait until he sees that legislation, and then he can tell me whether he agrees with the fact that the province of Ontario has those inherent ownership rights or whether it does not.

**Mr Hampton:** Premier, it was a simple question. I'm asking that you guarantee that you will not be introducing an omnibus privatization bill, that after your statements that you're going to consult the people of Ontario, we're not going to see legislation that in effect would allow your government to privatize Ontario Power Generation, the Ontario Clean Water Agency, TVOntario or the Liquor Control Board of Ontario. It's precisely that kind of arrogant attitude that Justice Gans ruled against, and it would be a disaster for the quality of life in this province.

I'm asking you again, will you rule out here and now that your government intends to introduce legislation that would amount to an omnibus privatization bill?

**Hon Mr Eves:** I know of no plans that the government has for an omnibus privatization bill.

**Mr Hampton:** Then I take it the Premier would also agree that if he's going to introduce legislation with respect to Hydro One, there will be public hearings held throughout the province. After all, Premier, it was you who said you wanted to consult with the people of Ontario and you wanted to listen to the people of Ontario. I'm asking you now: whatever legislation you introduce with respect to Hydro One only, will there be public hearings across the province so that the people of Ontario can truly be consulted?

**Hon Mr Eves:** First of all, the Minister of Energy of course has visited several communities, but any legislation would be referred to a committee of the Legislature, and that committee of the Legislature would determine what hearings were held and where they were held.

#### ONTARIO BUDGET

**Mr Howard Hampton (Kenora-Rainy River):** Another question for the Premier: the people of Ontario have been waiting patiently for your government's first budget. Many are even hopeful that, for example, school and education budgets will get an honest hearing in a budget, that hospitals and municipalities will have some of their issues addressed. The problem, though, is that we're hearing that your government may in fact not be willing to bring forward a budget this spring session. I'm asking you for a guarantee. Will you bring forward a budget this spring session?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** If that's the case, the Minister of Finance has been wasting her time recently.

**Mr Hampton:** Then let's get to the root of the issue. Will you tell us today on what date this spring you intend to bring down your budget? There are schools, hospitals, municipalities and a number of other public bodies in this province that want to know what their budget situation will be, what amounts of money they will have to look after the children in our schools, the patients in our

hospitals and to address a number of services that you've downloaded on to municipalities. Would you have the decency and the respect to announce here today to all of those hospitals, schools and municipalities on what specific day this spring your government will be bringing down its budget?

**Hon Mr Eves:** The Minister of Finance will be announcing in due course the date of her budget.

However, having said that, the date of the budget doesn't necessarily tell anybody when people will know what their transfer payments are. I can recall your Minister of Finance in the Bob Rae government making a great production out of rolling out transfer payments to schools one day, hospitals another day and municipalities another day, and it wasn't done on budget day.

I would say with all due respect that you should be the last party to be talking about wanting to know when budget day is, to know what the transfer payments are. If you were paying attention, you would know that school boards across the province found out that they have an extra \$440 million for educational budgets this year. They found that out last Friday, thanks to the Minister of Education.

1420

#### ALCOHOL AND GAMING CONTROL

**Mr Mike Colle (Eglinton-Lawrence):** A question for the Premier: your Alcohol and Gaming Commission of Ontario has turned down the city of Toronto's unanimous request for extending bar, café and restaurant hours during this year's World Cup of soccer. As you know, this year the World Cup is in Japan and Korea and there's a 23-hour difference, so a couple of the games occur at very unusual hours.

The World Cup, as you know, is one of the most popular sporting events in the world, celebrated by nations and cultures, especially in Toronto, which is usually the most active focal point for World Cup celebrations. I have written your minister of consumer affairs and asked him to sit down with the gaming commission officials to see if they can accommodate this request and work out a situation where this celebration can take place in our great city.

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I do appreciate the concerns that have been raised by some members in the community, especially in the city of Toronto. However, the Alcohol and Gaming Commission is a quasi-judicial independent body. They are charged with making these decisions, and I am sure that if the government interfered with any quasi-judicial body and tried to tell them what to do with respect to any decision, your party would be the first that would jump up and complain about us interfering.

**Mr Colle:** It's disappointing to see the Premier hide behind another unaccountable body. I think what the people of Toronto are asking the Premier is to perhaps stand up and say that he will encourage his minister to sit down with the gaming commission to accommodate this



very modest request. All it is for is two games on a Friday and Saturday night, and I don't think it's too much for the hundreds and thousands of people who have called Toronto home and who love soccer to ask you to at least ask your gaming commission to talk to the city officials to see if they can accommodate something. Just talk to them. We ask you to at least talk to them.

**Hon Mr Eves:** It's my understanding that the only times exceptions have been made to the extension of hours are where there have been specific events held in specific communities, and the events were held in Ontario, where they took place. And I would say to the honourable member that it's my understanding that the Toronto Police Service had some very specific concerns with respect to this request, and the Alcohol and Gaming Commission, a quasi-judicial body, has made an independent decision as to what they think is best in this particular circumstance.

#### MUNICIPAL ECONOMIC DEVELOPMENT

**Mr Joseph Spina (Brampton Centre):** My question is for the Associate Minister of Municipal Affairs and Housing for urban issues, as opposed to my friend for rural issues. The continued competitiveness of our urban centres is really important. From a city of 300,000, we know that it's essential that these urban centres continue to be strong and healthy. You recognize, Minister, that well-administered, economically healthy municipalities are a significant part of Ontario's competitive edge and we must continue to introduce initiatives that achieve prosperity for residents and for our province. I'd be interested in knowing what your direction is to strengthen this municipal sector.

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** I thank the member from Brampton Centre for his question. I know he is a strong voice for economic growth in his community and for his constituents.

Our government has taken a number of steps to strengthen and give flexibility to the municipal sector. The new Municipal Act, the memorandum of understanding with the Association of Municipalities of Ontario, which is supported by all of the municipalities, brownfields legislation and the government's Smart Growth initiative, for example, are all intended to give municipalities new, flexible tools to encourage local economic development and improve municipal revenues.

Our government recognizes that to maintain Ontario's competitive edge, we need an appropriate legislative environment, an environment that provides municipalities with the tools they require, simultaneously protecting public health and safety without creating red tape. This is necessary in order to sustain and improve the competitive edge in our municipalities and for our economy.

**Mr Spina:** Thank you, Minister. Brampton is the third-fastest-growing city in Canada. Currently at 325,000, we're going to hit half a million very soon.

We're choking on gridlock. Highway 410 has been dragging its heels in terms of development for the last four or five years. What we need is a government committed to a stronger, more mature provincial-municipal relationship, a relationship that can take municipalities into the 21st century. How is this government fulfilling its commitment to helping municipalities deal with their infrastructure challenges like Highway 410, like public transit, to get in and out of Toronto?

**Hon Mrs Molinari:** Certainly the member from Brampton Centre is very concerned with a number of issues, and transportation is one of them, and the gridlock.

I want to say that Ontario has recently announced a 10-year, \$9-billion transit plan designed to reduce gridlock and to maintain economic competitiveness and environmental quality. This money is in addition to Ontario's initiatives to improve highways with a minimum of \$10 billion in private sector and government investment over 10 years. Other examples include the Toronto waterfront redevelopment project and recent cultural funding announcements.

We have continued to build upon provincial-municipal relationships with the expansion of the Ministry of Municipal Affairs and Housing to include the focus on both rural and urban issues. Also, our Smart Growth panels will be coming forward with some recommendations.

#### HYDRO CORRIDOR LANDS

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Hydro One owns 55,000 acres of land. That land is absolutely invaluable in terms of meeting future public transportation needs as well as providing a continuing opportunity for recreation and enjoyment of green space. Premier, will you guarantee that hydro transmission corridors will remain public lands for public uses like transit and recreation?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Absolutely, and I've asked the Minister of Energy to make sure that any legislation he brings in would do exactly that.

**Mr McGuinty:** Premier, I appreciate and thank you for that response.

Further to that, immediately upon the conclusion of question period today I will be moving a motion seeking immediate third reading for Bill 13, which received unanimous support in this Legislature a short while ago, a bill put forward by my caucus colleague, Mr Mario Sergio. Will you provide your support for third reading passage of this bill immediately after question period today, Premier?

**Hon Mr Eves:** There are many pieces of legislation that are very important that should proceed with third reading immediately, such as the farm nutrient management bill, for example, in Ontario.

There are many pieces of legislation that should be passed immediately. This particular situation is going to be dealt with in any bill that the Minister of Energy

brings forward, and the honourable member and his colleagues will have an opportunity to vote for it in the Legislature.

### ONTARIO SUMMER JOBS PROGRAM

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Training, Colleges and Universities. Minister, today you announced the launch of the Ontario summer jobs 2002 program. Since the creation of this program, we have helped thousands of young people gain employment and valuable training within the Ontario workforce. That's a workforce that has gained some 850,000 net new jobs since we took office back in 1995.

Minister, as this program begins another year, could you please explain to the people of my great riding of Northumberland what changes have taken place in the Ontario summer jobs program and how these changes will ensure that the young people of Ontario have the best possible opportunity for a good job this summer?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** In response to my hard-working, great representative from Northumberland—like all of us in this House—this announcement this morning is about our students; it's about the summer job program. All of you should remember 1-888-JOBGROW for your constituency youngsters who call.

We kicked off the program this year, and the difference is that we have a program called Job Connect which just used to operate in the summer—young people leaving school looking for work. We have an 80% success rate in this program; it's one we're very proud of. Today, Mr Member from Northumberland, we announced that this program is all year round. Students have changed. Young people now are going to semesters in school. They're looking for jobs, looking for work experience. The response to the real question is that this program is all year and this is different from in the past.

1430

**Mr Galt:** It's great to get that kind of report from one of the best ministers in the Eves government. It's certainly good news for Ontarians, especially young people in my great riding of Northumberland. Young people deserve the benefit of work experience. A summer job is a great way to learn about different careers and helps our young people focus on their goals. For example, a second-year Queen's student, Sally Harris, is just doing a fabulous job in my office and I really appreciate it.

In today's economy the need for skilled workers is growing strongly, yet apart from this need for a skilled labour force, there's a growing market for the self-employed. Minister, can you please tell my constituents in Northumberland how many youth are projected to be helped by the Ontario summer jobs program this year, and does this program only help those people who want to gain employment within a company?

**Hon Mrs Cunningham:** We're looking at 57,000 students who took advantage of this program last year. We're looking for a slight increase this year. It's going to cost us \$53.1 million. In raw data, in 1995 it was one half the number of students for \$7 million more, so we're getting twice the number of students for half the money.

I will say it is about efficiency and effectiveness. I wish my Liberal colleagues across the floor from me would speak to the federal government so that we could do these kinds of training programs together, which means we need a labour market training agreement.

*Interjection.*

**Hon Mrs Cunningham:** It doesn't matter what you say, the facts are there. Every province has it and we don't. We could be doing this every single day, for young people and unemployed people, if we worked together.

**Mr Dominic Agostino (Hamilton East):** Have you signed the deal, Dianne?

**Hon Mrs Cunningham:** Yes, we offered to sign the deal, actually. An announcement—we made an offer to sign the deal four months ago and the federal government rejected it.

### SAFE DRINKING WATER LEGISLATION

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of the Environment. Tomorrow is the second anniversary of the beginning of the Walkerton tragedy, the day the first of seven victims died from the tainted water. Last year your government refused to allow all-party statements in recognition of that anniversary and I was pleased to hear you say today that you will consider allowing that tomorrow.

Beyond the realm of symbols, there's an extremely important substantial step that we could take here in the Legislature to honour the people of Walkerton: we could pass the Safe Drinking Water Act, to ensure we do everything we can in Ontario to make sure this never happens again. I'm asking you, when will you bring Bill 3, the Safe Drinking Water Act, before the House for third and final reading?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** First and foremost, it was a terrible tragedy in Walkerton. I think we all can understand the devastating impact on the community.

When discussing whether or not to speak to the moment in this Legislature, I consulted with the local member. The local member is Mr Murdoch. Mr Murdoch requested on behalf of his constituents that they would feel more comfortable having a moment of silence. That's the direction he brought to our caucus last year and that's the direction he brought to our caucus this year. I can think of no better thing than to go to the local member and ask him how he feels the constituents in that community would best be honoured, thought about and remembered. Mr Murdoch brought that request forward again this year and I accepted that request. I think we all in this House would not play politics with such an issue



as this. I respect the member's view, I respect his view of his constituents and I'm following the request of Mr Murdoch to handle it in the same way this year.

**Ms Churley:** I thought the minister said, in response to an earlier question, that the request would be looked at in the House leaders' meeting tomorrow. I do hope that's still an opportunity, because I too talked to some citizens from Walkerton, and I know they would like us to have that opportunity.

But I asked you a specific question about Bill 3, the Safe Drinking Water Act. I've been fighting for this legislation, Minister, in this House since June 2000, just after the Walkerton tragedy hit. The bill would recognize that we have a right to clean and safe drinking water. It would take the necessary steps to make sure that this doesn't happen. It would be enshrined in legislation. It was approved in principle in this House on September 28, 2000, but then your government killed it in committee. I brought the same legislation back as Bill 3, and it again passed second reading last October 11.

So this is a real test of your government's intentions on the environment. Will you block this bill, approved twice by all of the members in this House, or will you commit now to speedy passage to honour the people of Walkerton?

**Hon Mr Stockwell:** Once again, the point is not that I will not discuss the issue. The point I was making today is that we had discussions with the local member about honouring the people of Walkerton. I informed the opposition members an hour before the House sat that this was the approach we were taking. I had no knowledge that the members opposite were going to stand up and ask for this action. So that's the situation as it is.

**Mr Gilles Bisson (Timmins-James Bay):** What about the Safe Drinking Water Act?

**Hon Mr Stockwell:** With respect to the Safe Drinking Water Act, I think the new Premier has been as clear as you can be. He's looking forward to introducing legislation for Ontario's clean water legacy trust and creating a clean water centre of excellence in Walkerton. We are dealing with the issues. Those initiatives in the ministry have strengthened the annual inspections, doubling the number of inspectors, continuing annual inspections and ensuring one out of three annual inspections will be unannounced, introducing more comprehensive training, having follow-up inspections in case of non-compliance.

I'm not going to stand here and start arguing about the implementation and necessities. We believe, as a government, that we have taken this situation very, very seriously and acted in a very admirable, forthright fashion. We have tried our best to deal with the issues as they are before us. We know that was a tragedy that should never happen again. The undertaking for this government is to implement Walkerton report 1. We're going to get Walkerton report 2. We should read it and move on from there. But as a government, we have never taken any issue that has faced this government more seriously.

## LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** My question is to the Minister of Health and Long-Term Care. Members on all sides of the House have received over 55,000 cards from Ontarians all over this province urging the government to increase the operating funding for long-term-care facilities. As a matter of fact, these cards are here. I will have one of the pages deliver them to you shortly. These cards have been signed by residents and their families who are pleading with you to provide additional operating funds to our long-term-care facilities.

Minister, you noted in your own independently funded study, completed last summer, that Ontario ranked last in meeting the needs of our seniors in nursing homes and homes for the aged. Our residents received the least amount of registered nursing care and personal support care. Current levels allow the staff of the homes only four minutes to assist residents with getting up, washed, dressed and to the dining room daily; 10 minutes to assist residents with eating; 15 minutes of programming per day; and only one bath a week for the residents.

Minister, when are you going to increase funding so that our seniors can live out their lives with dignity and respect and with as much comfort as possible?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question. I would say to the honourable member for Kingston and the Islands that we have increased funding. We have increased spending. I, as minister, as part of a government, increased the operating funding, the per diem funding, just last year. So in answer to the honourable member's question, the answer is yes, we have done that. Of course, we wait for this year's budget.

But I would tell the honourable member I'm quite happy to accept these cards. In fact, I will also pass a note along to the federal Minister of Health, who contributes exactly zero dollars and zero cents to the issues that he is so concerned about.

1440

**Mr Gerretsen:** Minister, you have not increased any of the funding for the personal care and nursing care for our seniors. This government over the last five to six years has underappreciated, underrated and underfunded the plans for the seniors throughout this province. As a matter of fact, the health care needs of our seniors weren't even mentioned in your recent throne speech.

You know that our residents receive only two hours of nursing care per day, the lowest of all the jurisdictions. As a matter of fact, in Mississippi they get twice the amount of nursing care on a daily basis as here in Ontario.

Ontarians living in long-term-care facilities are older, frailer and sicker than ever before and they require a higher level of palliative care than at any time in history. There is a widening gap between the needs and the care required for our seniors. The impact on our grandparents, parents and relatives has widened and deepened.

Minister, when are you going to do the right thing? Stand up to your cabinet colleagues around the cabinet table and demand additional operating funding so that our seniors, who have contributed so much to the welfare of this province, can continue to live out their lives with comfort, dignity and respect. Over 55,000 residents and families in Ontario demand that you take action on this today.

**Hon Mr Clement:** I don't need any lectures from the honourable member or from the party opposite. The fact of the matter is, we are very generous with our long-term-care residents. Compare us to other provinces. Compare us to the public health care system that we have in Canada. I'd be happy to compare what residents in Mississippi get when it comes to publicly funded health care with what we get in Ontario.

The fact of the matter is, we have been there for long-term-care residents after a 10-year hiatus, which this party contributed to. When it came to the moratorium on building new long-term-care residences, we didn't just have the rhetoric; we acted: 20,000 new spaces for our long-term-care residents. We are planning for the future. We are there for our long-term-care residents. We have a plan for the future. They don't. They don't know what they're talking about, and this is another piece of evidence of that very point.

We in fact will be there for our residents. We in fact have been there for our residents. This party on the other side talks about rhetoric. When they get into government, they don't act, because they don't care.

#### SMART GROWTH

**Mr John O'Toole (Durham):** My question is to the Minister of Municipal Affairs and Housing. About one year ago this government introduced the Smart Growth initiative. Indeed, it was just a year ago, in fact last June, that we had a very successful community consultation in Durham region to discuss your initiative.

Last June, some of the stakeholders invited from my riding included Robert and Philip Brown of the Kedron Dells golf course, Ron Hooper from the BIA—the Business Improvement Area—Hans Verkruijsen from the Newcastle chamber of commerce and Roy Moore from Goodyear, just to name a few. Others included Wayne Clark, president of the Durham Region Home Builders' Association, Bob Malcolmson, general manager of the Greater Oshawa Chamber of Commerce, Brett Puckrin as well as Sue Larsh of the Durham Environmental Network.

There were representatives not only from business but also from municipal leaders, major employers, the agriculture sector, health care, education and the environment. Each group had valuable insights into how we can encourage smart patterns of growth, not just in Durham but indeed in the whole GTA.

Minister, could you give us an update in the Legislature on the Smart Growth initiative and how it will benefit the people of Ontario?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** To the hard-working member from Durham, the Smart Growth initiative for Ontario was laid out about a year ago, and since that time I'm pleased to update the House that we've had two major series and rounds of consultation, which have led to the creation of five regional panels to be established. Three are established and two are to be set up.

We are doing what we set out to do. Components have already been established with the brownfields legislation to allow for the cleanup of contaminated sites in our urban cores and in the downtown areas of our small communities throughout Ontario; and the Oak Ridges moraine act, which I know all members of this House supported, which says that certain areas should be protected and passed on as a legacy to future generations.

Going forward, we plan to have these panels up and running and come out with concrete suggestions on how to manage and promote growth in this province.

**Mr O'Toole:** Thank you very much for that update, Minister. I know the Smart Growth panel does include membership that certainly recognizes Durham. Mayor Marcel Brunelle, the mayor of Whitby, is certainly one of the members I'm aware of. I'm confident the panels will address not just the urban issues and the expansion of growth but also the rural issues, the quality-of-life issues, and that's because the Smart Growth concept will benefit all of Ontario.

Could you tell us what the role of the panel is in planning in the province of Ontario?

**Hon Mr Hodgson:** The panels were set up because it was suggested that one-size-fits-all wouldn't work for a province as vast as Ontario, with differing needs in different regions. Second, people didn't want to see another level of government; they wanted to see a coordination of government decisions within the province and across municipal boundaries, and hopefully get the federal government engaged as well.

We want to have a strong economy, so we need more growth. We also want to have strong communities and a healthy, clean environment.

The province of Ontario has grown by over two million people in the last 15 years. It's projected conservatively that it will grow another two million to three million. Where these people settle and where the jobs are located and the infrastructure to support these communities is very important.

I hope to have the central Ontario panel reporting back on how to solve gridlock, come up with better options for solid waste management for municipalities and have a strategic framework of where growth should take place in this province in the next 20 to 30 years.

#### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Energy. You have been assigned the responsibility to review the pay packages, compensation packages, for Hydro One exec-



utives. You've had about a week now to look into that. Can you tell us specifically, the \$175,000 allotted to the president and CEO of Hydro One—that was a car allowance. What was that \$175,000 used for?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I requested the chair of the board of directors of Hydro One to provide the information for how they arrived at the decision. They hired an outside consultant—I believe it was Hay consultants—to reach the conclusions they reached. They're getting that information and providing it to me so that we may review the compensation packages for the senior staff at Hydro One. When I receive that information and go through it and am informed of how they arrived at those decisions, I'll be able to answer in a more fulsome way. But the fact of the matter remains that they have arrived at it through an associate, through a contract that they hired an outside consultant. That is a very broad report, very voluminous, and as we work our way through it we'll be happy to respond to the questions.

**Mr McGuinty:** I guess I missed the funeral of Chris Stockwell, the man who used to stand on this side of the House and who would be swinging from those chandeliers today if he learned that the head of a public company was getting \$175,000 for a car. What happened to that Chris Stockwell? Boy, do we miss him now.

In part, Minister, you and your government have to take responsibility for this mess because you pulled the shades down on Hydro One and OPG and you exempted them from the ambit of the freedom of information act. So we can't get access to that information.

Here's an undertaking I want from you now, Minister: will you agree to review not only the pay packages at Hydro One but also at OPG? Will you also agree to restore the freedom of information act so that it applies to Hydro One and OPG?

**Mr Tony Ruprecht (Davenport):** Where is that Stockwell?

**Hon Mr Stockwell:** I can take heckling, but it's difficult to take it from Mr Ruprecht.

The fact is simply this: I'm ahead of you by one step. I've requested the same information from the board of directors at OPG. As a matter of fact, I met this morning with—

*Interjection.*

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Maybe it's two steps, then.

**Hon Mr Stockwell:** Yes, maybe it's two or three steps.

I met this morning with those involved at OPG and requested the exact same information from those people as well. Yes, I've done that already. Yes, when I receive the report and work through it we'll have a decision to take. We will provide that information to the public; we'll provide it to this Legislature. Obviously the situation is that we need to go through the facts. Before we finish going through the facts, it would not be acceptable to start commenting on what the deal is until we understand it completely.

Yes, I requested the information from Hydro One. Yes, I'm ahead of you on the OPG and requested that information as well. So now, today, you're two for two. You asked about the Hydro lands and the Premier said, "Already doing it." You're asking about OPG; we're already doing it. That's why we're in government and that's why you're over there.

1450

## NUTRIENT MANAGEMENT

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Agriculture and Food, the hard-working, efficient, effective member for Huron-Bruce. I want to revisit the comments made by the member for Glengarry-Prescott-Russell Monday evening last. The member opposite commented on the hypothetical proximity of a hog farm to the arena in which the Ottawa Senators and the Toronto Maple Leafs were playing their playoff series. He said, "Imagine if the water they used to flood the ice ... were taken from a creek or river where there is a hog farm in the vicinity. The ice wouldn't be white; it would be brown." He went on to say that hog farms are omitted from the Nutrient Management Act.

Considering the vast number of hog farms in my riding, I was shocked to hear this. Minister, will the Nutrient Management Act not address these important issues concerning hog farms, large and small?

**Hon Helen Johns (Minister of Agriculture and Food):** I'd like to thank the member for the question. I would like to say that the member from Glengarry-Prescott-Russell also predicted that the Ottawa Senators would win that series. He's wrong—wrong on his ability to predict hockey games and wrong on his ability to be able to read the nutrient management bill when it comes to hog farms.

The government is indeed committed to preserving Ontario's clean waterways and groundwater system. The bill creates a comprehensive framework of regulation and best management standards to be included so that manure produced by hog farms will be spread effectively. These regulations will be clear requirements about what hog producers and other farmers across the province have to do.

We all know that farmers across Ontario are great environmental stewards. They're stewards of their land. They want safe, sustainable growth. I can tell you that the Ontario pork producers will be very upset to hear of the comments from the member opposite because—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

**Mr Johnson:** Thank you, Minister, for clarifying that point. The member for Glengarry-Prescott-Russell was mistaken about hog farms and he was offside with his Leafs-Senators prediction.

I'm sure my constituents are concerned about the environmental impact of the hog farms in my riding and they'll be happy to hear that, as I'm sure will your con-

stituents who also share their communities with large hog farms.

The opposition has been critical of the amount of time it has taken to make this piece of legislation a reality in Ontario, as have many farm organizations. Could you please explain to the members of this House and Ontario farmers why it's taking so long, and when you expect it will be passed?

**Hon Mrs Johns:** I'd like to thank the member from Perth-Middlesex. I would like to say once again that the Ontario pork producers publicly stated that they embrace the principles of the Nutrient Management Act and they in effect ask everyone in this House to move forward, get going and pass this bill. This bill has had more consultations—several public meetings were held across the province, there were initial consultations with approximately 130 presenters, and 200 written submissions. It went out after first reading and was consulted on. It's out again after second reading to be consulted on. What we need to do is pass the bill and get started. We happen to be blocked again because the opposition members won't put it to third reading. Come on, give the farmers a break.

## RAPPORT DE L'ENQUÊTE SUR WALKERTON

### WALKERTON INQUIRY REPORT

**M. Gilles Bisson (Timmins-Baie James):** Ma question, si le premier ministre voudrait prendre son écouteur, s'il vous plaît—on sait que vous ne parlez pas le français.

Vous savez, monsieur le premier ministre, que le 14 janvier de cette année votre gouvernement a déposé le rapport de Walkerton, et le 18 janvier, avec cette information-là, le rapport en question a été donné au public avec accès à travers l'Internet, à n'importe qui veut l'avoir. Une petite erreur : aucun rapport n'a été produit en français le mois de janvier.

J'ai soulevé, avec mon chef, M. Hampton, cette question en janvier et février : « Pour quelle raison n'avez-vous pas déposé le rapport en français ? » On nous a dit : « Ne vous inquiétez pas. Le rapport va être préparé dans les plus brefs délais. » On se trouve à la fin du mois de mai, monsieur le premier ministre. Pour quelle raison ce rapport n'a-t-il pas été produit en français jusqu'à cette date ?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'd ask the Minister of Environment and Energy to answer this question.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The member's quite right. It's very unacceptable. I spoke with Ministry of the Environment officials and asked them to do it immediately. The second report will come out. I will give you my undertaking that it will be out as quickly as humanly possible. There's no excuse.

## MINISTERIAL CONDUCT

**Mr David Ramsay (Timiskaming-Cochrane):** I have a question to the Minister of Environment and Energy. Minister, following your public-expense pub crawls and your mishandling of the Hydro One consultations, it would appear that you're not comfortable with or willing to play by the rules of proper procedure.

As you know, last Thursday you met with the mayor of Kirkland Lake down here to discuss a PCB incinerator proposal for Kirkland Lake, the mayor being a very strong proponent of this facility. As you know, Bennett Environmental is yet two weeks away from submitting their environmental assessment information and we haven't had the public consultation period yet, nor have you received the recommendations from your ministry before you would make a decision.

Minister, don't you see that holding a meeting like this really destroys the perception that you're an independent arbiter of this decision-making process?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I take some exception to the original part of the question. I've already responded to those. As I said again, it was a mistake. We apologize and we've paid it back.

With respect to the second part, my door is open. If a mayor of any community in this province would like to speak to me, I don't vet them and organize them on what it is I'm going to speak to them about. They come down and talk to me about the issues that are germane to their constituents and themselves. I would expect that to be a good thing. I always thought that if you folks across the floor wanted me to meet with local municipal representatives because there are issues they feel are important, and I agree to do that, I would expect you people to say, "Gee, that's good. I'm glad he's an accessible minister who's open to hearing from people around the province." To the member opposite, if you're saying to me that I shouldn't meet with officials in your riding without the consent of yourself and others, that's very difficult for me, because they are elected and they have local issues.

I heard their concerns and I didn't question his agenda. There was nothing done that was inappropriate. A simple request for a meeting was made. I accommodated your mayor, the mayor of Kirkland Lake. I would think that's a good thing.

**Mr Ramsay:** I've been in your position and I know a minister doesn't accept an appointment without knowing fully what's to be discussed on that agenda. Don't tell me that people come in and have surprise meetings in your thing.

Minister, what I'm talking about is that the legitimacy of the procedure is what you've negated here. You know this has to be independent. The mayor, the ministry and the EA rules say that politics shouldn't be entering into an environmental assessment. These decisions must be made based on science, and before all the science is gathered, you are allowing yourself to be lobbied by one of the key proponents.



When you were in Kirkland Lake just two months ago, you said there are a lot of jobs and opportunities that you can create in Kirkland Lake, and you can create a waste disposal mecca where you can deal with incineration and landfilling. Your mind is already made up, and we haven't seen the science. As you know, the siting of this PCB incinerator breaks the Canadian Council of Ministers of the Environment siting regulations on setback from habitation, schools and homes. It does that in a very grave manner. You've got to ask somebody else on the executive council to make this decision, because you've prejudiced the outcome of this.

**Hon Mr Stockwell:** I take great exception to that, great exception. That is just cutting at the integrity of what I stand for as Minister of Environment. I was requested by the mayor of Kirkland Lake to have a meeting. No, I didn't vet every subject. He wanted to meet with me about issues of concern. Never in that meeting, nor would it ever happen, would I ever compromise the existence of the Environmental Assessment Act, nor would I discuss it. To make the allegation without one shred of evidence is not only dishonourable but demeans you and me in this House. If you have any evidence of the fact that I spoke to him about the environmental assessment process, then table it. I did not speak to him about that. I never spoke to him about that. He asked me questions to take into consideration, and I committed to nothing.

**Mr Ramsay:** On a point of order, Mr Speaker: In today's Northern Daily News clip, the mayor outlines the full discussion—

**The Speaker (Hon Gary Carr):** Order. That's not a point of order.

1500

## PROBATION AND PAROLE SERVICES

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the minister—I've forgotten his new title—for community safety.

**Interjection:** Just call him Bob. Just ask Bob.

**Ms Mushinski:** Actually, he's Brother Bob. He's one of my favourite ministers, and he will forgive me if I've forgotten his title. I understand that he's the minister responsible for public safety.

**Interjection:** Who's that?

**Ms Mushinski:** Mr Runciman.

Minister, during the OPSEU strike, many of your front-line parole and probation staff complained that their caseloads were too high and that many serious offenders were being left unsupervised. In my riding of Scarborough Centre, I know that the community is unaware of what types of supervision community-sentenced offenders actually receive. I wonder if you could please reassure my constituents that community-sentenced offenders are appropriately supervised.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I want to reassure the member and all members of the House that the government is taking

valuable steps toward improving the caseload numbers for front-line staff. We announced two years ago that we would hire an additional 165 new parole and probation staff and I'm proud to say that we've accomplished that goal.

The federal Liberal government seems to think that at least half of the entire offender population belongs in the community, and since they're the ones that write the legislation, that leaves us with few choices.

That being said, the ministry is in the middle of a procurement process where we're trying to find private sector partners to help us expand our electronic surveillance program. We're looking for a variety of tools that front-line parole and probation staff can use to enhance supervision capabilities. These tools will ensure that any community-sentenced offender will have an adequate level of supervision, both by the parole and probation officers and by this advanced technology.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: In light of the Premier's comments today, I would seek unanimous consent to make a motion to grant third reading to Bill 13, An Act to amend the Electricity Act, 1998, as introduced by Mr Sergio.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: I would just like to read into the record the quote in this thing that was attributed to me in this comment: "Stockwell said the assessment—"

**The Speaker:** Order. Will the member take his seat, please.

## PETITIONS

### LONG-TERM-CARE FACILITIES

**Mr James J. Bradley (St Catharines):** A very timely petition from the people of St Catharines to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas there are over 525 long-term-care facilities across the province of Ontario housing over 60,000 Ontarians;

"Whereas over 60% of individuals living in long-term-care facilities suffer from" some form of "dementia, 90% need assistance to eat and get dressed, and 56% have circulatory disease;

"Whereas government funding of long-term-care facilities by the government of Ontario has failed to keep pace with the growing needs of individuals in long-term-care facilities;

"Whereas government funding currently allows for only four minutes per day of assistance in washing and dressing long-term-care facility residents;

"Whereas government funding currently allows for only 10 minutes of assistance with eating per day and 15 minutes of programming per week;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide additional funding to Ontario's 525 long-term-care facilities to ensure adequate staffing and service for long-term-care facility residents and appropriate levels of care such that Ontario's thousands of long-term-care users can enjoy their later years in comfort and contentment."

I affix my signature. I am in complete agreement with the sentiments of this petition.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** On a point of order, Mr Speaker: I'd like to note the presence in the gallery of the only member of this House who has 100% attendance, the member for Nipissing, and he hasn't even taken his seat yet. Congratulations to Al McDonald.

### SAFE DRINKING WATER LEGISLATION

**Ms Marilyn Churley (Toronto-Danforth):** This is a petition about safe drinking water. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the people of Ontario have the right to receive clean and safe drinking water; and

"Whereas clean, safe drinking water is a basic human entitlement and essential for the protection of public health; and

"Whereas the people of Ontario have the right to receive accurate and immediate information about the quality of water; and

"Whereas Mike Harris and the government of Ontario have failed to protect the quality of drinking water in Ontario"—these were done in the intersession—"and

"Whereas Mike Harris and the government of Ontario have failed to provide the necessary financial resources to the Ministry of the Environment; and

"Whereas the policies of Mike Harris and the government of Ontario have endangered the environment and the health of the citizens of Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Immediately restore adequate funding and staffing to the Ministry of the Environment; and

"Immediately pass into law Bill 3, the Safe Drinking Water Act, 2001."

I will affix my signature to this petition.

### COMMUNITY HEALTH CARE CENTRE

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas Sarnia-Point Edward and area is experiencing a crisis in a shortage of health care professionals, specifically doctors; and

"Whereas the community health care centres are a proven primary health care system that can attract professionals and deliver primary health care in a cost-effective, efficient manner;

"Be it resolved that the Legislative Assembly of Ontario approve a community health care centre for Sarnia-Point Edward and area as soon as possible."

I will affix my signature to that.

### HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

It's signed by a number of concerned citizens from Blenheim, Ridgetown, Morpeth and Chatham, and I too sign this petition.

### COMPETITIVE ELECTRICITY MARKET

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas electricity rates in deregulated, private, for-profit markets such as Alberta and California fluctuate wildly in price and supply and are much higher-priced than in comparable public power systems;

"Whereas deregulation in California caused more blackouts than Ontario has suffered from ice storms or other natural disasters while public power has protected us from market fluctuations in supply as well as price;

"Whereas at-cost electricity has helped build and support Ontario's economy, while deregulation would destabilize the economy, with soaring rates, reduced reliability and increased production costs leading to plant closures, job loss and economic decline;

"Whereas soaring electricity rates would put a significant burden on school boards, hospitals, public transit and other public services which cannot afford to pay double for their electricity;



"Whereas seniors and other members of our communities on fixed incomes would be hard hit by increasing rates, and the living standards of millions of Ontarians will be harmed;

"Whereas privatization will trigger NAFTA provisions, making it practically impossible to reverse this dangerous experiment and would cost us Canadian control over electricity;

"Whereas privatization, deregulation and loss of sovereignty would close the door on public accountability of the industry in regard to environmental safety and energy security concerns; and

"Whereas an alternative exists in the form of a truly accountable, transparent and affordable publicly owned and controlled system operated at cost for the benefit of all Ontarians;

"Therefore, we demand that the Ontario government immediately halt the planned privatization, sell-off and deregulation of the public electricity system."

This has been signed by a number of constituents in my riding. I agree with them and I've affixed my signature to it.

1510

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a number of names on petition to the Legislature Assembly. These have been forwarded to the Honourable Helen Johns, Minister of Agriculture, and I wish to present them as parliamentary assistant to the minister.

"Whereas electrical energy is an essential service used by 100% of all Ontario citizens; and

"Whereas the experience in deregulating and privatizing the generation and retailing of electrical energy in other jurisdictions has led to enormous problems, including huge increases in hydroelectricity rates;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop further progress and action on the deregulation of electrical energy."

I sign this petition.

#### HYDRO ONE

**Mr Bruce Crozier (Essex):** I have a petition to the Legislative Assembly of Ontario with regard to Hydro One.

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

In support I affix my signature.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr David Christopherson (Hamilton West):** I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met, including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowances of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan);

"Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2002 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

As I'm in agreement, I'm adding my name to this petition also.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Tony Ruprecht (Davenport):** I have a petition in regard to the controversial issue of Hydro One, and it reads as follows:

"We, the undersigned residents of Toronto, demand that the government immediately stop the process of privatizing our electricity transmission system, the network of steel towers, transformers, wooden poles which transmit power from generation plants to our homes, and further postpone the electricity deregulation process until the Ontario public is given proof that privatization will not result in price increases, and place a moratorium on any further retailing of electricity until the Ontario Energy Board comes up with a standard contract to be used by all retailers; and

"That a standard contract spell out in clear terms that the residential users are waiving their rights to future rebates in exchange for fixed rates over a specified period of time."

Since I'm in agreement, I'm signing my name to this petition.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%; and

"Whereas the same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource budget on to municipalities;

"Whereas Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"Whereas the Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas the need for affordable, accessible, regulated child care and family resource programs continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

This petition has been sent to me by Michele Giroux of Bells Corner Co-operative Nursery School in Nepean. I agree with the petitioners. I have affixed my signature to it.

### COMMUNITY HEALTH CARE CENTRE

**Mr John O'Toole (Durham):** It's my pleasure to present a petition to the Legislative Assembly of Ontario.

"Whereas Sarnia-Point Edward and area is experiencing a crisis in a shortage of health care professionals, specifically doctors; and

"Whereas community health care centres are a proven primary health care system that can attract professionals and deliver primary health care in a cost-effective, efficient manner;

"Be it resolved that the Legislative Assembly of Ontario approve a community health care centre for Sarnia-Point Edward and area as soon as possible."

I'm pleased to affix my name and submit this petition on behalf of the member for Lambton-Kent-Middlesex.

### COMPETITIVE ELECTRICITY MARKET

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas electrical energy is an essential service used by 100% of Ontario citizens; and

"Whereas the experience in privatizing electrical energy in other jurisdictions has led to enormous problems, including huge increases in hydroelectricity rates;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to stop further progress and action on the privatization of electrical energy in the province of Ontario."

I'm in full agreement and will sign this petition.

### PROVINCE OF ONTARIO SAVINGS OFFICE

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

"Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

"Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

"Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

"Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario's crumbling infrastructure after years of Tory neglect;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To save the people's bank, the Province of Ontario Savings Office, so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go further afield for banking services and forced to go to private, for-profit banks."

On behalf of my constituents, I add my name to this petition.



**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker: I have been listening very carefully to the last petition. Since I agree with it 100%, I hope you don't mind that I sign it as well.

**The Acting Speaker (Mr Bert Johnson):** That is not a point of order.

1520

## ORDERS OF THE DAY

### THRONE SPEECH DEBATE

Resuming the debate adjourned on May 16, 2002, on the amendment to the amendment to the motion for an address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session.

**The Acting Speaker (Mr Bert Johnson):** When we left off, Mr Bryant, the member for St Paul's, and Mr Smitherman, the member for Toronto Centre-Rosedale, had just finished their debating time. So we will go into the procedure for questions and answers by four members in rotation, and then one of those two members will have two minutes to respond.

Comments and questions?

**Mr Peter Kormos (Niagara Centre):** It is with regret that I've got to tell you I didn't hear a single word that either Mr Smitherman or Mr Bryant had to say to the throne speech, but far be it from me—

**Mr Michael Bryant (St Paul's):** I'll send you a transcript.

**Mr Kormos:** I didn't hear it. I simply wasn't paying close attention to what you or Mr Smitherman were saying. But it remains the case that I am going to utilize the opportunity for questions and comments. I want to tell you, Mr Speaker, that New Democrats will be joining in the debate this afternoon. Ms Churley will be speaking to the throne speech. I will be speaking to the throne speech in approximately 40 minutes' time.

One of the things we noted in these questions and comments was that this throne speech was, if anything, underwhelming, and in the opportunities we've had when we've been—

*Interjections.*

**Mr Kormos:** Well, think about it. When we've been back in our ridings and had a chance to talk to folks in our ridings, whether it's retirees and seniors, whether it's patients in hospitals, whether it's people who have had their home care torn away from them, whether it's students who face higher and higher tuition increases or whether it's workers who have just begun to receive their round of decertification notices with their paycheques—it's no longer the big posters on the workplace billboard, which didn't last very long, I should tell you, and ended up being a repository for some rather acute comments—not cute, but acute comments—regarding the Premier, his predecessor and the Conservatives. Again, the Ministry

of Labour now is including those pamphlets in pay envelopes.

We have great concerns about the people for whom the throne speech held out no promise whatsoever, no relief from the seven years—and think about that: seven years. There's something Biblical about that—of policy pestilence and torment that's been imposed on them by this government. Now, that holds some promise for the next seven years, I must say, and I will be speaking to that, along with Ms Churley, in short order.

**Mr John O'Toole (Durham):** Just picking up on the member for Niagara Centre's comments about over-whelming or underwhelming, I think the opposition day yesterday is an example of an underwhelming experience. This two-minute hit that I'm doing actually is with respect to Mr McGuinty's response yesterday. Really, he was talking about the issue of Hydro One and trying to have our Premier take this whole issue off the table. In fact, that's exactly what the opposition normally do; they don't want to deal with anything. I think the best template, if you want to understand the Liberal policy, is to look to Ottawa. The only way you can make no mistakes is to not do anything.

In fairness, later on today I'll be speaking on our response to the throne speech, A New Era for Ontario.

Certainly, if you're looking at the dilemma of the Hydro One debate and looking at the full amount of information, starting, I might say, with the Macdonald commission around 1996, where they evaluated the total assets at about \$40 billion and the debts at about \$38 billion, it was clear something had to be done. There were a number of options put forward by the Macdonald commission.

This government, as usual, is keeping its promise. The promise is to fix a system that was spending way in excess of its means and had no mechanism of accountability. We heard in question period today of senior executives making exorbitant amounts of money. It just demonstrates to me that bringing this back and dealing with some very difficult issues in a policy sense—I can only tell you this, having a riding with a nuclear plant, the Darlington generating station. They're now operating at efficiency levels because of the accountability mechanism that this government imposes on them. So I think it's open for debate. I certainly want to make sure that we have safe, reliable, affordable power, specifically for people on fixed incomes. I know our Premier, Ernie Eves, will do the right thing at the end of the day. This government has a reputation for, and in fact our mark is, doing what we promise.

**Mr Steve Peters (Elgin-Middlesex-London):** I'm pleased to respond to my colleagues from St Paul's and Toronto Centre-Rosedale, and I know the efforts that my colleague from St Paul's has put into the issue of Ontario Hydro and Hydro One. I think what he tried to get across and what we didn't hear from this government and what the people of Ontario wanted to hear in this throne speech was some clear words that the government is putting an end to the sale of Hydro One. Of course, we

didn't hear that. Once again this government is abandoning the citizens of Ontario.

My colleague from Toronto Centre-Rosedale is in an interesting position, because Mr Smitherman has a farm in his riding, the Riverdale zoo. It's one of the few farms in Toronto, the only farm in what we know as downtown Toronto. What I know Mr Smitherman would have liked to talk about, and it's something that I'm going to talk about right now, is the lack of commitment in this throne speech to agriculture in this province. We did not hear the magic words "made-in-Ontario safety nets." They skirted; they talked about consultations. Farmers in this province, I believe, feel that with three ag ministers in the past 14 months, they've been consulted to death.

We heard about the nutrient management legislation, but the most pressing crisis facing the agricultural community in this province today is depressed prices as a result of the government to the south and the unfair subsidies they are putting forward in support of their farmers.

We've heard talk from this government for over a year about a made-in-Ontario safety net program that's going to be there to look after the needs of the agricultural community in this province. But did we hear any discussion in this throne speech about made-in-Ontario? No. Nada. Zero. I think that lack of commitment shows very, very clearly to the agricultural community in this province that the government likes to talk the talk right now; they're talking consultations and they're going to do this and they're going to do that. But why don't they stand up? Why didn't the Minister of Agriculture ensure that included in this throne speech was support for the made-in-Ontario safety net program?

**The Acting Speaker:** I want to recognize the member for Timmins-James Bay in just a moment, and that is that you have some constituents who have been suffering the last little while, having to leave their homes for flooding. Please pass along our official best wishes to them, and my personal ones as well.

The Chair recognizes the member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** Thank you very much, Mr Speaker. I will pass that on to Chief Theresa and the rest of the community of Attawapiskat. As you well know, 1,800 people were evacuated just last week. Luckily, the city of Timmins, which always has its door open and always does a fine job when it comes to being able to assist our neighbours to the north, did an excellent job in being able to provide emergency assistance to some 900 people who came into our community, as well as people into the community of Moosonee. So I will make sure those words are passed on.

In response to the speech that was made by Mr Bryant, if I remember correctly what was happening the last time we were here, I just have to say this, and I am going to be partisan here. I just want my Liberal friends to know I'm happy, I'm very happy, that finally you guys have come outside with New Democrats and Howard Hampton and that you believe the privatization of Hydro One is a bad

idea. Because I remember reading the fundraising letters that Dalton McGuinty or Mr Sean Conway had sent to the hydro industry, where you guys were in favour of privatization and deregulation. I also remember the comments in the paper where Mr Dalton McGuinty, the leader of the Liberal Party, was saying he was in favour of the sell-off of Hydro One. But I'm glad that you changed your mind. I'm glad you're with us. I just want to congratulate the Liberal Party for having flip-flopped on its original position, because we think we are right and the Tories are wrong.

But I want you to go a little bit further. I want the Liberals to also flip-flop on the issue of hydro deregulation and on the privatization of Ontario Power Generation, because the Liberals are saying it's bad to privatize Hydro One but it's good to privatize Ontario Power Generation, and market deregulation is a great thing. We as New Democrats, and my leader, Howard Hampton, think that is a bad idea. So we're asking the Liberals: you've taken a baby step. You've come out in support of the NDP on the issue of the privatization of Hydro One. We're asking you to take one giant leap for the people of Ontario and go all the way and oppose the privatization of OPG and the deregulation as well. I look forward to those responses from my good friend Mr Bryant.

1530

**The Acting Speaker:** The member for St Paul's has two minutes to respond.

**Mr Bryant:** It would be tempting to respond to the member from the third party, other than saying this: his suggestion with respect to the activities of the member for Renfrew-Nipissing-Pembroke are totally inaccurate and I wouldn't be surprised if a point of privilege is coming. But I'll leave that to the member.

In fact, the third party, the New Democrats, along with the governing party and the official opposition, all agreed in 1997 in a joint committee report that electricity restructuring was necessary. There was a recognition that in fact we all had to change the way in which we created electricity in the province of Ontario, because either we were going to have to buy our electricity from New York or we were going to have electricity made in Ontario. I think the New Democrats did the responsible thing then in 1997, as did the government and the official opposition.

I'll tell you who flip-flopped: it was the New Democrats. They then saw a political opportunity. They abandoned the responsible position they took in 1997 and decided to make the same kind of promises we heard in 1989 and 1990, the pipe dreams of public auto insurance. Then the hard, cold reality sunk in when they became the government and they saw they couldn't fulfill those promises.

It would be grossly misleading to the people of Ontario to let them think that the status quo with respect to electricity creation is satisfactory. It's not. The easy thing to do is to promise the Dark Ages, to promise that we can go back and engage in some nostalgic moment. In fact, those days are over. We need to move forward.



We oppose the sale of Hydro One because that's in the public interest, but we want to create more electricity in the province of Ontario because that's in the public interest.

**The Acting Speaker:** Further debate?

**Mr O'Toole:** Mr Speaker, I just want to make sure we're starting the second round, which is in fact the order of the day, the response to the speech from the throne.

It's my privilege and it's certainly my duty today as the member from Durham to reflect the mood and sentiment of my constituents. I do that with a great deal of sincerity.

When reviewing and preparing for this occasion and this opportunity, I did reflect and review the Hansard from May 9 and the comments made by our Premier, Ernie Eves, and of course the remarks made on his behalf by the Honourable James Bartleman, Lieutenant Governor for the province of Ontario. I'll look at it in a general sense first, and then I'll get to more specifics later.

If I look at it in terms of the general themes, it started with a very reflective tone, appropriately I think, given September 11 and other events. He outlined a number of significant contributors to this great province who have left us: Kenneth Bryden, MPP for Woodbine, as well as Ed Good and Lorne Henderson and Harry Worton. He went on to mention as well the Queen Mother's passing and Her Royal Highness Princess Margaret, Countess of Snowdon, the Honourable Pauline McGibbon, as well as the recognition that this is the 50th anniversary of Queen Elizabeth.

He then went on in tone from reflection to commitment. It picks up a serious resolve by reviewing a number of commitments that the government made. I'm just going to review a number that, for me, represent important goals, objectives and targets for this government to commit to. One is the challenge now to guide our province smoothly through to a new era. "We must protect the best of what we have while changing what is necessary to improve the lives of Ontarians."

We as elected members here on a daily basis get perhaps 50 phone calls a day, a number of letters and other means of staying in touch with not just our constituents but indeed all people of Ontario. As the parliamentary assistant to the then Minister of Finance, Jim Flaherty, and now the parliamentary assistant to the Minister of Health, the Honourable Tony Clement, I know something about some of the issues and how difficult the choices are.

On education, I was very happy that the Deputy Premier, Elizabeth Witmer, along with our Premier, has committed—Dr Mordechai Rozanski, the president of Guelph University, has agreed to lead a task force reviewing the current funding formula in education. I heard that in the pre-budget consultations, and I'm pleased that this government has listened and that this government is responding. The Education Equality Task Force will report back sooner than later, on November 1, 2002. Last week, we heard from the Minister of Education, Elizabeth Witmer, that the government has

announced the GLGs, the general legislative grants, for the coming year, and indeed there is more money. In the case of one of the four publicly funded boards in my area, there is more money, and in many cases including in an environment where there is declining enrolment.

Education was just one of the many issues I think the government made commitments on. Minister Cunningham, the Minister of Training, Colleges and Universities, has invited the federal government to sign the labour market development agreement. Of course, this much-debated agreement on training issues and the labour market would allow Ontarians to access up to \$600 million in apprenticeship and skills training funds. If one looks at the fact that the province of Ontario represents about 50% of the total economy of Canada, then this is long overdue to help not just new Canadians but new people to the workforce generally, in many cases young students graduating. I think that's an important part of what this government's message is about: creating opportunities for young people.

I look at the record of this government since 1995. There have been 882,000—almost 900,000—new jobs created, this against the backdrop of September 11 and other economic pressures. Ontario does remain competitive, a great place to invest and do business. Earlier today, Mr Kwinter from the opposition spoke with some questioning about the auto caucus round table being held today in Toronto. I was there for the minister's opening comments and those from the leaders of the industry, and I can assure you, representing the riding of Durham, which includes General Motors and many employees of General Motors, it was breathtaking. The leaders of all the industry were there—General Motors, Ford, Chrysler, Toyota, Camry—as well as the tier-one parts suppliers, and Buzz Hargrove was there, along with Minister Flaherty. I did notice a great deal of willingness to address—but the most important issue I heard from that sector was dealing with the bridge in Windsor. The minister—not in his words, but others around the table, all of the leaders, Buzz Hargrove and others, demanded that all levels of government work together to make sure that this barrier to trade be removed by governments—municipal, provincial and federal—working together. So the Huron Church Road bridge across the river, across the border, is important, while maintaining our controls and security at the border points as well.

To continue to focus on the economy, one of the themes I saw throughout this throne speech was the importance of trying to understand the basics. The basics are as simple as this: the first and most important thing is to have a strong economy. Without a strong economy—that is, jobs and investment—you cannot possibly have a strong quality of life. There are those on the other side who think you can spend your way into a higher quality of life. It's an important debate to understand the economic and fiscal policies that are necessary to have an enhanced quality of life.

The opposition, on every single occasion, has voted against every single tax reduction, yet I hear and read in

the papers the importance of having competitive tax rates. I'm specifically in support of reducing taxes such as the capital tax, which is a very regressive tax on investment and research and development, not just to the auto industry but to the health industry as well.

So the strong-economy argument has to be seen as a continuing thread throughout much of the debate to make our province the greatest place in the world to live.

I was also happy, when reviewing the comments, to address the important urgency of—since 1995, the province of Ontario, in its commitment to technology in health care, has increased the number of MRI machines by adding 31 in the province for a total now of 43, and OHIP funding would be extended to the operation of 90%. All Ontarians, no matter where they live, must have health care close to home. That has been our theme right from the very beginning.

1540

There are many sectors, but there are many agendas in the sectors. There are the doctors, the nurses, the pharmaceutical companies, the hospitals themselves, as well as other stand-alone research and other investments in health care that need to work together. More importantly, it all comes together in the recent debates on community care and long-term care.

I think the government has tried to address the physician shortage. I'm going to mention just a few initiatives. They have proceeded with the new northern medical school. Full campuses at Sudbury and Thunder Bay will train more doctors and encourage them to remain in practice in underserved areas, specifically in the north. The government is working with health care communities in Ontario to encourage more foreign-trained physicians to locate in underserved areas and increase the certification rate of these skilled individuals who are, in many cases, new Canadians.

I also think of the initiative whereby Ontario started to address the problem by helping to pay the tuition of doctors who choose to locate in areas that need doctors. The tuition plan, I believe, is \$40,000 that the province is willing to pay people who are committed to working in an underserved area.

Also, the family health network will be a raging debate as part of primary health care reform. The family health network increases access to services and is an important part of our government's plan. There are 14 pilot projects underway around Ontario, and the government's target is to have about 80% of eligible family practitioners in these family health networks in the not-too-distant future.

As I said, in the Ministry of Health there's a lot to be done with technology, with the integration of patient records and laboratory results being shared with hospitals and doctors—all of course under a very strict umbrella of patient consent, confidentiality and security of records—to try to make the best use of testing dollars so that there isn't duplication and to make sure we have the latest information.

Telehealth is another initiative of this government to try to bring services closer to patients.

Also, there's the good work done by the Minister of Municipal Affairs, Chris Hodgson, with Smart Growth but also the whole Oak Ridges moraine debate. I really feel that the environment and that debate overflows into agriculture, with the Nutrient Management Act also an important debate.

As a member of the current select committee on alternative fuels, I can tell you that the report that I believe will be tabled next week by Dr Galt—Tuesday, he tells me right now in the House for you, the public, the first to hear it. It will be Tuesday next week. This report will have some very envisioning and very empowering language. It's my understanding that it's an all-party, unanimous report. It's good work by Dr Galt and, I might say, by all the members who sit on that committee in bringing together the very best examples—not just in hydrogen but in other fuel sources and options—to create better sustainable fuel sources in the future. That is all part of the environmental debate.

We heard the Minister of Agriculture today speak on the importance of moving ahead as quickly as possible on the Nutrient Management Act, and I know in my riding of Durham that agriculture and farm practices are very much waiting for those regulations. I commend the community people working on community councils, Arnot Wotten and his committee in Clarington. There's one in Scugog township as well that is working and anxiously waiting for this bill to pass.

I'd be remiss if I didn't mention one of my pet peeves, the act that will give the charter to the newest university in the province, the Ontario Institute of Technology at Durham, which is anxiously awaited. I'd encourage the third party and the opposition to support that so there will be student spaces—some 5,000 to 8,000 student spaces created—to meet the double cohort needs, to allow students to avoid the expense of going away to university and to receive a first-class education closer to home, saving them and their families endless amounts of dollars. I can tell you, as a parent of five, that is a very expensive part, just living away from home.

I also want to recognize the new era in Ontario with a few specific comments from my riding. The input comes very clearly with respect to the current debate which in the last week of course has been the Hydro One issue. I have the greatest confidence in our Premier, Ernie Eves, that he will do the right thing, and the right thing does not include the do-nothing option. The do-nothing option is going to be very difficult for the opposition to try and have it both ways. I'm anxious to hear the remarks of the member from St Catharines because he may have the courage to step out and make a statement about some of the choices that should be considered. Hopefully he will ignore the do-nothing option, as I'm sure his leader is trying to tell him to do.

I was pleased with the Premier's comments in the House here today that the lands of Hydro One will remain in public hands. The councils in my area have all



passed resolutions. I have Hansard today, as you do, and that question's been responded to.

The other theme I see in this throne speech—and I've just gone through the actual copy of it—which I thought brought the whole thing together was reflection and commitment. The last part that I think is important is to act. There's a lot of action in this; in fact, it's already flowing.

The throne speech meant a lot to the agricultural community. In the last few minutes of my remarks I want to speak about the way of life in my riding and what it means to farm families: Dale Mountjoy, region 4 director of the Ontario Corn Producers' Association; Anna Bragg, former president of the Ontario Corn Producers' Association; Arnot Wotten, chair of the Clarington Agricultural Advisory Committee; Jacqueline Vaneyk, president of the Durham Regional Federation of Agriculture.

It may be of interest to this House to know that the Durham Central Agricultural Society is celebrating the 150th anniversary of the Orono Fair this year. I would encourage all members to make a special effort as a significant indicator of support for their important 150th anniversary fair this year. I would also wish well the fair manager, Gord Robinson, who's also a municipal councillor, and the board of directors and the many volunteers who make up that board.

But the agriculture community needs more than congratulations. That's why I am pleased with the commitment by Helen Johns, our Minister of Agriculture, to committing to the round table on June 6 and the process that will lead to policies that come directly from the farm community itself. We look forward to this process as we develop made-in-Ontario solutions that will ensure a strong farm and rural community for present and future generations.

What does the throne speech do for me and the members of my community, the business improvement area in downtown Bowmanville, Newcastle and Orono? What does it do for the membership of the chambers of commerce of Scugog and Newcastle? What about the Clarington Business Group and the Greater Oshawa Chamber of Commerce and the Courtice Business Association?

Businesses in ridings like mine have always understood the value of partnerships and working together. That can be recognized in the few business organizations I've already mentioned.

I would be remiss if I did not also mention the Main Event, which was recently held in my riding with many leaders from industry and the community, the region and the federal government. David Collette made the keynote speech. I can assure you that it was a very successful event. Congratulations especially to the board of trade president, Ed Vanhaverbeke; vice-president Donna Eastwood; vice-president Ron Hooper; past president Paul Halliday; and directors Terry Caputo, Ron Hope, Bill Hyde, Tom Morawetz, Michael Patrick, Evelyn Rosario, Don Terry, Masood Vatandoust, John Wells and Frank Wu, representing the municipality of Clarington.

Again, it's an example of partnerships by the boards of trade, chambers of commerce and economic development offices throughout Durham that made the Main Event, held on May 15, a wonderful success. It included 700 business leaders from across Durham region. It was an opportunity to celebrate a positive business climate as we get prepared for the largest mega project in Canada, and that project of course is known as ITER, the international thermonuclear experimental reactor, our fusion project on the shores of Lake Ontario at the Darlington plant. I'm proud to say the province of Ontario is a partner with this business.

Let me also mention a few points from the throne speech that demonstrate that partnership in economic growth and innovations. As I said, there have been 882,000 new jobs, with 59,400 in the last six months. For instance, good news came from General Motors whose president, Michael Grimaldi, recently announced the addition of a third shift and 1,000 jobs in order to expand production at the number one plant in Oshawa of the best-selling car in North America, the Impala.

The business community can count on us continuing to focus on improving Ontario's competitiveness.

As I mentioned earlier, maintaining the free flow of goods and services across our borders is absolutely important to our export-based economy.

#### 1550

I wanted to thank the education community. I recently visited a class taught by Donna Paquette of St Joseph's French immersion school down in Bowmanville. These grade 5 students were part of a Canadian citizenship special ceremony. We met with Cathy Abraham and the Clarington District School Board. There have been great things happening in our community schools. With the co-operation among parents, staff, students, the community and the province we can achieve even more in the future by working together.

There's much more to say and so little time to say it all, but I want to conclude with the double cohort issue. I want to go back to basics here. The future really is about our young people, not just the pages here today, but the young students in our classrooms in elementary and secondary schools and indeed university.

The greatest investment we can make is to educate our future generation and to have the right skills for the right place and the right time. I believe that educators are looking for a strong curriculum. I commend the College of Teachers; it had some difficult choices to make. But in that place there have been greater investments in capital, in schools and in trying to solve these problems. Having been a trustee for a couple of terms, I am familiar with the struggle that's been going on for about 15 years that I am aware of, since I was involved in the 1980s.

The issues aren't too much different than they were then, except the tuition issue in secondary school, as I am mentioning here, is a large issue. With the double cohort graduating starting next year we need to have 73,000 new spaces across the province. I know that the Ontario Institute of Technology in Durham is an important part of

that solution and I am a great supporter of that. I hope the opposition will support it. The student opportunity trust fund will help those who lack the family resources to reach their full potential.

Education includes each of us. Each of us is on a daily basis learning how to live life and meet the challenges, and that's what this throne speech meant to me and my constituents. It is a new era. It's a new opportunity, an opportunity to work collaboratively to find solutions. If all we have is empty political rhetoric, then I don't think we'll be achieving as much as our potential. We each are an example to our children. We should do our best each day in this House.

**The Acting Speaker:** Comments and questions?

**Mr James J. Bradley (St Catharines):** The issue the member should be addressing is that raised today by Mr John Gerretsen, the member for Kingston and the Islands. That is the issue of the treatment of senior citizens in our nursing homes and our seniors' homes across the province. We call them long-term-care homes.

I met with the representatives of those individuals. I have on many occasions communicated with the residents themselves, many of whom we would refer to as patients because of the care they need. I've met with their families and their friends. I've met with those who operate the homes and work in the homes and clearly there's a need for sufficient investment in them to provide better services.

They all note that services have deteriorated because there are simply not a sufficient number of staff there to meet their needs. On the cards they sent to each one of us they note, for instance, that 95% of those residents require assistance to get dressed, 94% to eat, 63% suffer from some form of dementia, 39% are aggressive and 56% have a circulatory disease. These are some of the afflictions that they have. There are only four minutes given to assist with getting up, getting washed, dressed and to the dining room; 10 minutes for assistance with eating; 15 minutes of programming per day and one bath per week.

For our senior citizens who have done so much for our society in years gone by, made many sacrifices, to see these individuals treated the way they are today, without the kind of dignity they require, the kind of medical care they require, without meeting their daily needs is tragic indeed. I think any government that is giving a \$2.2-billion tax gift to corporations in this province can well afford to invest that in long-term-care homes.

**Mr Kormos:** What the member for St Catharines wanted to tell folks but didn't have time to was that in around eight minutes' time he's going to be speaking. He's going to share his time, I'm told, with his colleagues, simply because that's the kind of guy he is. He cares about his seatmates, and he's going to share. But after he does his time with his colleagues, I'm going to have a chance to speak. I'm going to be speaking 20 minutes to this throne speech, which is unfortunately the maximum amount of time I've got. But then my colleague Ms Churley, the member for Toronto-Danforth, is

going to speak. She's going to be talking about environmental issues and environmental issues as they relate to the privatization of Hydro One and OPG. She's going to be talking about poverty. She's going to be talking about things that matter not just to the folks in her riding of Toronto-Danforth but folks across the province.

One of the things that Jim Bradley may not have a chance to tell you because he's sharing his time is that he and I deeply regret not being with our friends at the Slovak Club down in Thorold right now, down on Front Street in Thorold, with our friends at the Native Centre up in Niagara-on-the-Lake and with our friends at Club Sardegna. As we explained last Friday when we were down in St Catharines with the kickoff of the folk arts festival, regrettably we were going to have to miss some of those events. So we extend our regrets to the Slovak Club, to the Native Centre and to Club Sardegna, as has been pointed out.

But I tell you, Mr Bradley's going to be joining me on Sunday at the Croatian National Centre up in Niagara-on-the-Lake, at Club Heidelberg, at the Canadian Polish Society, at the Ukrainian Youth Association, and indeed, on the Saturday and Friday before at numerous other folk arts festival events. I'm looking forward to joining with folks down in St Catharines and across Niagara North in that folk arts festival.

**The Acting Speaker:** Questions and comments?

**Mr Gerard Kennedy (Parkdale-High Park):** Thank you for including me, Speaker. It is a pleasure to get up and address the remarks made by the member for Durham, particularly when he talks about his fulsome conviction and new relationship with the double cohort, a creation of this government. They decided to take tens of thousands of young people and throw their future into disarray because of their mismanagement. This is the thing that's going to catch up with this government: the absolute mismanagement of public objectives. Each one sits, and Mr O'Toole particularly, talking about the defence of this government when in fact 25% of the spaces that those young adults look forward to being able to achieve, look forward to being able to qualify for, don't exist and can't exist, according to the various institutions that are going to provide them. In fact, the member opposite provided reference to an institution that doesn't even yet exist in terms of providing some of the alleviation for some of those spaces.

Those same young adults have learned first hand the difference between what's said in the throne speech and what hangs around the neck of that gentleman just speaking just like a seven-year-old pork chop: this government's record. The record, when it comes to the double cohort, is to put them through a mismanaged school curriculum, to inflict on them half-baked ideas they rented from the Republican shop down to the south—unfortunately, they went to the discount bin—and they instead have put upon this group of people a curriculum that doesn't work, uncertainty in terms of where they're going to be headed in terms of their further education, deregulated fees that have increased their costs 60%, at



the same time when the average wage, particularly at the low end where young people can expect to participate, has dropped under this government in terms of their ability to earn their own income.

The people opposite are happy to hide behind the new, gentle rhetoric. They're happy to find comfort that maybe they can put on a new suit, but I can tell you, the stench of the last seven years sticks to them, just like it will reveal itself when the double cohort becomes the car crash this government set it up to be.

1600

**Ms Marilyn Churley (Toronto-Danforth):** I'll tell you, them's fightin' words. I don't think I can compete with that, but I agree.

I wish, by the way, I had my schedule here and I could tell the people in my riding the events I'll be at this weekend.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** You'll never make it to Morningside, Marilyn.

**Ms Churley:** That's true, but Peter Kornos will.

I'm disappointed in the member for Durham and the members so far who have spoken in response to the throne speech, because I was expecting that some of them would break free by now. You're not going to. The member for Durham, I don't think he's going to make it into cabinet now. He doesn't have to continue—what's the polite word I should use here—

**Mr Sorbara:** Prop up.

**Ms Churley:** —propping up his government. The people like Mr O'Toole from Durham and others who have spoken are continuing to put their heads firmly in the sand and not look at the reality of the Ontario that has been created under their previous Premier, Mike Harris.

Now, Ernie Eves, the new Premier, did say that he wanted to create a kinder, gentler Ontario, and some of the language has changed and the government has indeed put a few more dollars—not nearly as much as the dollars they took out of the budget for education. We've yet to see what they're going to do about the environment in response to the second part of the Walkerton report—all kinds of other areas where billions of dollars have been taken out of our system and still have not been replaced. A few dollars have been thrown at some critical areas, yet the problems that have been created by this government are still there.

Members are getting up, like the member for Durham, and praising the throne speech, praising the new government, and not admitting, not finally sticking their heads out from under the sand and saying, "We've got some problems here, and we'd like to address them."

That's why I'm disappointed. I will talk more about these issues when I get a chance to speak later on in the program today. I could go on now because the Speaker is busy. Those are the kinds of things I will be talking about later on. I have a report here called—

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Bradley:** Mr Speaker, I will be sharing my time with the members for Davenport, Parkdale-High Park

and Ottawa Centre. Unfortunately, with the rules of the Legislature, my friends from the New Democratic Party get to speak four times as long as members of the Liberal Party, which of course irks those of us who have a lot to say in this House. I do want to share with members of the Legislature some concerns I have in that short five minutes.

First of all, I was deeply disappointed that members of the government did not join with the opposition in agreeing to the motion put forward in the House by Dalton McGuinty, the leader of the Liberal Party, to stop the sale of Hydro One. I thought perhaps, as I saw the government moving away from that position, they finally would simply concede that they were wrong in doing so and they would take off the table the whole issue of selling Hydro One to the private sector. I think that would have been a good move on the government's part. Perhaps we'll drag them kicking and screaming to that point soon.

The second issue I want to deal with is that of the appalling situation with disabled people in this province. First of all, the criteria to receive payments, to receive a pension as a disabled person, are very tough and unfair criteria to follow. The procedures to follow are demeaning. Nobody wants people who aren't disabled to get funding, but I'm going to tell you that people who are genuinely disabled are having a very tough time and are put through a very demeaning process.

I could be wrong in this—I don't think I am—but I can't recall an increase in the funding in terms of the pensions and payments they might receive that disabled people have had in this province. They contact my office and say, "We have not had an increase while others in our society have." That's appalling, because these are people in a very vulnerable position.

We've not had proclamation of the bill for the disabled in this House. There are many services that disabled people have to get that they have to pay for, and sometimes they have to go cap in hand to volunteer organizations to receive that funding. That just isn't right in a society which has considerable wealth and with a government that is giving a tax break, a tax gift, to the corporations of some \$2.2 billion, has \$500 million for the private school sector and is giving another \$945 million in income tax cuts, that it cannot find the funding for those individuals who are vulnerable.

Second is the issue of the ambulance dispatch service. The member for Hamilton East has raised the issue, I've raised the issue in the House, the member for Niagara Centre has raised the issue in the House. There's an appalling situation where the government kept secret for several months a report which said that the ambulance dispatch system is in disarray, that people's medical conditions are deteriorating considerably because the ambulance isn't arriving on time. There's a contention and accusations that people have even died because ambulances have not been dispatched in time to reach the people and it's because of the disarray in which the

dispatch centre finds itself as a result of inaction on the part of this government.

The minister rose in the House in questions from myself and the member for Niagara Centre the other day and contended that, well, he was acting on it, that he had the report; he didn't make it public, but he was acting on it. We find today that representatives of the Ontario Public Service Employees Union have shared with us the fact that virtually no new action has taken place, that the government has been sitting on this matter, a matter of life and death. That is not acceptable.

I spoke earlier today as well about farmland preservation. I made a statement in the House on it. I am absolutely appalled when I see the amount of farmland being gobbled up. In my statement today I noted that we have 27% fewer farms than we had 20 years ago, 11.5% of that in the last five years. This is irreplaceable land. The agricultural industry should be seen as, because it is, an extremely important industry that is valuable in terms of the amount of money it brings in and because it gives us the security of knowing that we have our own food supply. Yet we're allowing municipal councils to rezone lands, to give severances willy-nilly and to simply pave every last square centimetre of farmland within their jurisdiction. Clearly, the provincial government should not have weakened the Ontario Planning Act, which permits this to happen, but at the behest of their developer friends who contribute millions of dollars to their coffers, over the past six years they have done so. That is wrong. We must take a strong stand to preserve our farmland because we cannot, once it has been paved over, lift the pavement and start farming it again.

I now pass it along to our next speaker.

**The Acting Speaker:** I'll make sure the member doesn't lose any of his time.

If Travis, the page from St Thomas, were here, he would want me to—and of course I would have to tell him I couldn't. There are no rules in this House that would allow me to introduce, in the members' west gallery, his mom and his two sisters. He would want me to introduce his mom and his two sisters, his aunt and his grandma. We welcome you.

Travis is here, to my extreme right. He would also want me to mention that he comes from St Thomas, in the heart of the riding of Elgin-Middlesex-London, represented by Mr Peters.

I'm sorry to interrupt the member for Parkdale-High Park. I will make that up to you.

**Mr Kennedy:** It is a pleasure to join this debate. It is about the throne speech, and the throne speech, I think, has had a disproportionate amount of attention for a pile of words. Any government normally can depend on a certain amount of good faith on the part of the public: "This is what they say; this is what we can start to believe." A new government, which the slightly retreaded Eves government can at least make some claim to be, is going to get that, is going to get some benefit of the doubt on the part of people who are out there. I, for one, think in some ways it's justified, up until the point where

they actually start to do or not do the things they've set for themselves, the expectations they have set for themselves.

So I think somewhat uncomfortably the government here has assumed the mantle of actually having an interest of some description in public education, an interest other than using it for political gain and advantage and having something and someone to attack from time to time when they need to avoid some of the tougher questions that come with governing. Instead, that lazy approach has brought them around now to where the throne speech actually talked about equality of opportunity as a goal of this government, equality of opportunity which this government has not, for many years now—because it is many years, seven years—lifted a finger to advance, has never bought into or measured itself by, of people advancing themselves based on their ability, based on their willingness, based on their hard work to do that, particularly when it comes to the public systems that exist to facilitate that development.

I'm sorry to report to the people of Ontario today that the early returns are in on the throne speech, that is, those with respect to education, because the government has made its announcement. It has said, "Here are the actions to match those words about equality of opportunity, about stability and other things we would lay claim to as the slightly revamped, retreaded kind of government that we'd like you to believe us to be." Instead of a real commitment, the kind of commitment that would come if the members who are here today from Thornhill, from Etobicoke North and so forth were actually to stand up in the caucus room and say, "We need to do something for the schools that are struggling in our ridings," actually do something on their behalf instead of something else—because that's the price of credibility, the price of translating these words into something that can be believed, not anything that is said here today but what the government actually does.

#### 1610

When those school boards looked at their allocations on behalf of two million students around the province, numerous people represented by this government, essentially they found that priority is not only not reflected but bears the inherent contradiction of this government when it comes to being believed or understood or having even a scintilla of respect, let alone credibility, when it comes to education. Those numbers show this: that this government could only muster \$14, after inflation, per public school student in this province in enrolment this year. That's all they could find in their hearts and in their priorities to make available across the province. The context for that is a government that has taken away some \$950 over the seven years of their government. They have deducted that. They have decided they have better uses for that; that that should be in tax cuts, that that should be financing other things they believe in, but patently not public education.

One of those other things becomes more evident this year. Not given much attention in the throne speech is the



\$1,400 that each of these members supported and voted for in the last session, that public money should be put into private schools and toward the education of private students. Each one of them, supported by the members of this government, receives 1,400 new dollars, 100 times the \$14 this government decided to make available to public school students. They have decided not to address the needs of students out there this year in the double cohort, as I mentioned in my response before, but also special-needs students. It is unethical, I say in this House, to have this government put forward the ruse, the pretense of actually responding to education when all around this province are thousands are special-needs students who have been taken away from in terms of their education, who have actually lost out because of this government's lackadaisical, lazy approach to trying to provide a quality education. They have instead been, like others, curriculum casualties of this government's lack of commitment to actually seeing them succeed.

In the final analysis, we know now, we have a very strong indication, we have a good idea where this government is headed in terms of its approach. The contrast is there in terms of education: on the one hand, high rhetoric; on the other hand, low ambition, low priority, and certainly nothing the people of Ontario are looking for when it comes to an improved direction for this province.

**Mr Tony Ruprecht (Davenport):** I am delighted to participate in the throne speech debate. Quite honestly, I must tell you I was pretty disappointed in what I heard. As you know, I introduced a private member's resolution in November 1999. It was calling for greater access to our trades and professions, especially as it relates to the practice of keeping out foreign-trained professionals.

Right now in Ontario we need at least 200 doctors. Consequently, we have a number of applicants, at least 2,000, who are foreign-trained professionals, foreign-trained physicians—I have the numbers right here—and they can't practise. We're asking why. Why can't we open the door so that foreign-trained professionals, especially physicians, are able to practise?

We know that in some cities of Ontario emergency departments are being shut because we're unable to find professionals, physicians who want to come and practise in Ontario hospitals. They're unable to join us simply because of what's taking place in terms of the process that's holding up these professionals.

It's not just doctors; it's nurses, it's engineers, it's veterinarians. I can go down the whole list of professionals who could come but they're not; they're not being allowed to practise. What happens instead? Well, some of them are going to the United States, and that means of course that they are adding to the brain drain. Some are forced to drive as taxi drivers. Some are forced to clean restaurants. Some are forced to deliver pizzas. Those are the kinds of people that we need in the professions and not doing this kind of work.

So was that part of the throne speech? Did the government address that issue? Absolutely not. Nothing has been done in terms of opening the doors.

I'm not saying that the standards should be lowered. No, the standards should be maintained. But we're saying there should be an appeal mechanism and we're saying there should be certain processes established that would open up the doors so that professionals from other countries would be able to practise in Ontario.

The other issue I want to address myself to briefly is the issue of Hydro One. I see that my good friend Mr Kormos is here right now. I was kind of expecting in the throne speech, as was said before by some of my colleagues, that the government would simply accept that it was wrong and would take it off the table. But apparently Mr Eves has decided that, no, we're still going ahead in some way to ensure that Hydro One is being sold; at least that's what I understand. Maybe I'm wrong. I hope I am. But there was nothing in the throne speech that would make me believe Hydro One is off the table. It's a tragedy, a real tragedy, that the crown jewel of Ontario is being sold, that the crown jewel of Ontario is being considered expendable.

We know, of course, that private corporations are there to make a profit. But if private corporations are making a profit, why couldn't the province of Ontario make that profit? Are we lacking money? No. We know what the deficit is. We know that in terms of our own needs in Ontario, the government needs money to run: to run our hospitals, to run our schools and so on. So what we need, of course, is obvious. We need to have a base from which we can take the money to pay for the services. To sell the crown jewel of Ontario and to think that we can make a few bucks at a time and not consider the future, the future of our children, is really something that needs to be re-examined, and it was not in the throne speech.

I therefore propose that what we've got to do today is try to ensure and try to convince Mr Eves to change his mind. We will continue to demonstrate until this is done, until there's some sense in this government, where they will say, "No, we cannot sell Hydro One."

**Mr Richard Patten (Ottawa Centre):** I'm pleased today to respond to the throne speech. It was an interesting one, if somewhat confusing. Suddenly we're embarking on a new path, led by the man who was in charge of the cuts that led to most of the havoc and confrontation in this province, the same government that gave tax breaks to Bay Street and cuts to most of the vulnerable in our province.

I'm going to address a particular area that is most important to me, because I get the most calls, the most letters, the most e-mails about people who are being deprived of home care, some of the people in this province who are the most ill or the most frail, who are in need of our support at this time, at this particular stage in their lives. I'm talking about the cuts to community care access centres.

In Ottawa, we have 500 on a waiting list. These people are waiting for what? They're not waiting for some kind of frivolous service; some of them are waiting for a bath, a bath that they can only have once a week. Some are waiting for some grooming. Some are waiting for food.

We have a woman in Ottawa, Joan Crawford-Shanahan, who has been blind since 1992. Originally, she was assessed for eight hours of home care. Those hours were cut to six. Then they were cut to four. Last week she learned that there would be no hours at all. I remind you that this woman is blind and lives alone. She wants you to tell her, in asking the government, what does she have to do to receive services in this province? This government says it wants seniors and the disabled to be at home, to stay at home where they need and can get the support. Our particular community care access centre is reassessing about 6,000 people right now who are receiving services. Over the last three years, demands for care have grown by 36%.

1620

Let me tell you about another person's, Gail Blackburn's, experience. Instead of reacting and providing the CCACs with the needed funds, this government fired the messenger—just like they did right across this province—fired an excellent manager of that CCAC and put new people on the board—their people—by passing Bill 130. So who's left to speak for the most needy? It's we in the opposition and the people in the community. They still have money, of course, to give to Bay Street. Maybe our new Premier will have a rebirth and finally provide some funding to our CCACs—and we're not alone—so that seniors and the disabled can get the care they not only need but deserve.

Home care was to be an alternative to expensive hospitalization, but by starving home care, it can't do the job. It leaves people hurting and it can't replace and take the pressure off the hospitals. So what's the point? You starve it and it's a waste. You're hurting people, you're hurting the services and you're putting pressure on the hospitals as well.

I know my time is almost up, but I did want to say that there are many more areas in this throne speech that I would like to have addressed. I don't have all the time, but I would like to address and comment on Gail Blackburn, who said:

"I am very angry at our new premier, Ernie Eves, because his government froze funds that our community gets for home care.

"My case worker notified me that on June 10 my home care service will be cut to three hours a week from 6.15 hours. I live in constant pain as I suffer from fibromyalgia and lupus," which, as many of you know, can be terminal. "I also have to deal with the depression that the pain brings with it. I worked for 29 1/2 years for the Department of National Defence but now I am not able to work.

"Last year I had been receiving eight hours." Now she's cut down to hardly anything at all. It's been cut "by

half, which is ludicrous and sadistic." These are her words.

"I am allowed to have the bed changed once a month. Would anyone sleep in a bed that was only changed once a month? I can't afford to pay someone to come in and make sure that my floors are clean and that my bed is changed.

"The home care worker wanted to know if I have any family nearby." She does not.

"I live alone and ask nothing more than to be able to live my life with a little respect and dignity. Mr Eves needs to look at how this funding enables disabled people to be independent." That's what she wants to be.

This is from Gail Blackburn in Ottawa. There are many more people in this situation. It is a crying shame. It was not addressed in the throne speech. It should have been, if this government is truly saying it wants to address the needs of our people.

**The Acting Speaker:** Comments and questions?

**Mr Kormos:** I have but two minutes now. In fact, there are going to be a few other speakers taking their two-minute opportunities and Ms Churley is going to be amongst them. Then I'm going to have a chance to spend some 20 minutes responding to the throne speech. So if folks are at all interested in the issues I want to raise about this government's assault on Ontarians, stick around. If you're not, go down to the Slovak Club in Thorold, go down to Club Sardegna in St Catharines or go down to the Native Centre in Niagara-on-the-Lake, which I would—

**The Acting Speaker:** Would you get done with the commercial and comment on the speakers, please?

**Mr Kormos:** Thank you kindly, Speaker. That's why people have these choices. I believe in choices, too. But look, we've seen people in this province suffer seven years now of attack upon seniors, attack upon the environment, seven years of attack upon students, seven years of attack upon single mothers—I'm going to talk about some of those single mothers in a few minutes and tell you what women like Ms DiMartile down in Niagara have had to endure. I'm going to talk about some of the workers that have been under attack, like the workers at Anagram out in Niagara-on-the-Lake. I'm going to talk about some of the workers like hotel workers right here in Toronto under attack by this government.

I'm going to talk about folks like the kind of folks that Ms Churley and I represent in our ridings, who have not only not been served well by this government but who have suffered a gross disservice and whose lives have become far worse over the course of the last seven years.

Ms Churley will be speaking this afternoon as well, addressing environmental issues, poverty issues, addressing issues around the privatization of one of our most valuable assets, Hydro One and OPG. I mean, the privatization of Niagara Falls—who'd have thought it?

**Mr Rick Bartolucci (Sudbury):** I'd like to commend my four colleagues on their presentations in the last 20 minutes. Certainly, we look at the shortcomings of this throne speech because we know that this throne speech



impacts negatively on the people of Ontario. Again, as is so often said in my part of Ontario, there is the same old barn with a new coat of paint on it; but the reality is the structure is still the same and nothing has changed. In fact, in the Premier's own words, we've only changed Premiers, not principles.

Let me tell you that the principles of the Harris-Eves Tories have hurt Ontarians. So when the member from Davenport comments on the need for access to trades and professions, he speaks from authority because he's listened to the people of his riding and the people of Ontario. We heard very sad commentary about Gail Blackburn and Ms Crawford-Shanahan, two people who require services and aren't receiving them from this government. They are only reflective of the many, many thousands of people who require extra services and are not receiving them from this government, because this government likes to talk the talk but doesn't believe that it's important to walk the walk.

Nothing has changed in the province of Ontario—just the Premier. The failed policies of the Harris-Eves government remain in place, and that's why we as the official opposition will continue to hold this government to account.

**Ms Churley:** I listened with pleasure to my four colleagues from the Liberal Party. I would say to Mr Bradley, who commented that the NDP gets to speak more and we have fewer members than they do, be careful what you wish for because it is our goal to make sure that after the next election you will be sitting over here with maybe six or seven or eight members. I can tell you if you look at the ledger, if you compare the benefits and disadvantages to having fewer members, I would say that when you have a number of critic areas to cover and a number of committees to cover, I think the disadvantages outweigh the advantages. But do be careful what you wish for. If that happens to you, we will negotiate in good faith your ability to stand here and speak on behalf of your party.

The Liberal members spoke about a lot of issues and a lot of things that are missing from this throne speech, the kind of things that I'll be speaking about later and that the member for Welland-Thorold will be talking about: real people and the effects that government cuts, because of tax cuts to the wealthy—the Liberals are just talking now about corporate tax cuts, but let's remember where this all started, when this government, the Tory government came into being. The first thing they did was cut welfare rates and education. They cut the environment drastically. Right throughout the government there were cuts. It's important that we stand up and talk about the real affects that it's having on real people in our ridings.

I can tell you that when we go to our constituencies on Fridays when the House is in session and we hear some of the heartbreaking stories and the real impact these cuts have had on people, then it becomes incumbent upon us in the opposition to address those omissions from the throne speech and urge the government to do something about these problems that have been created—

**The Acting Speaker:** The member's time has expired.

**Ms Churley:** —by those very cuts and have not been addressed.

**The Acting Speaker:** The member's time expired some time ago.

1630

**Mr Alvin Curling (Scarborough-Rouge River):** In the few minutes I have—actually, it's the first opportunity, since this government has taken its long holiday, to be accountable and to face us, so we can make them accountable.

But I just want to use a few minutes to talk about how proud I am of the Liberal Party, this opposition, who have kept this government, over the years, accountable. Yesterday I saw the Premier get up and say with glee that he was giving back the \$78,000 in severance pay. George Smitherman, my colleague, was at him for days saying, "Give back that money. It's not fair." When he got up and said, "I'm giving it back," they all got up and applauded. That is the consistency of the Liberals, who are saying, "You must be accountable," and when we made them accountable they were applauding. So therefore, I say to you all, that's good.

Mr Speaker, you remember the Walkerton situation. All along they were saying, "There's no way we're going to have an investigation," and they were blaming it on everyone. The Liberals and Dalton McGuinty insisted that they do that. Then there was Ipperwash. My colleague Gerry Phillips continues to make this government accountable and pushes them and pushes them until, I'm sure, they're going to have to be accountable one day. Because do you know what we're saying? The people out there want you to be accountable. The day will come when this very accountable Liberal Party that has listened to the people, in forming the government will then say to the people, "We listened."

All of a sudden this new Premier is saying, "I'm a listener. Listen to how much I'm listening." What we want is a doer, not a listener. They have all these ears. I want to tell you, when Dalton McGuinty and the Liberal caucus get to be the government, you will see a government that is accountable and a government of action.

**The Acting Speaker:** The member for St Catharines has two minutes to respond.

**Mr Bradley:** I appreciate the comments of all of my colleagues on the speeches that were made by the Liberals. We had to divide our 20 minutes into five minutes apiece.

I want to indicate very much how pleased I am that the government has now come along to our point of view on the hydro corridors. We've been at them now for several months about those corridor lands. The member for York West, Mario Sergio, brought a bill before the House, you will remember, last Thursday that the government ultimately defeated or sidetracked so that it wouldn't go anywhere, and today the Premier announces that he's going to do what Mr Sergio essentially said he should do. I was hoping that yesterday when we had the resolution

from Dalton McGuinty on Hydro One, telling the government not to sell Hydro One, in fact we would see them turn around and finally agree, after having seven different positions, that they wouldn't sell Hydro One. I know that is a hot issue. I read in the newspaper that my friend from Ottawa West-Nepean was opposed to selling Hydro One. I don't know if you can always believe the newspaper, but I read that in the newspaper. I would respect him for saying that within his caucus, because more than once he has annoyed the powers that be within the Conservative hierarchy, and I don't blame him.

Listen, another thing the government should do, and I'm sure all of us in the opposition agree with this: I cannot see why they won't develop Beck 3, which is a new water-power operation that can take place in Niagara Falls—no emissions into the air, water power, and it can add to the electricity grid. Why this government has resisted what we in the Liberal Party have advocated for so long I do not know. I guess it will remain a mystery.

**The Acting Speaker:** Further debate?

**Mr Kormos:** Last Friday, May 17, back down in Niagara, of course, I was with a group of 70 workers, young women and men—mostly young women and men; some not so young, but by and large young women and men, and quite frankly, you might want to know, mostly women. They had been forced to be on strike on a picket line—forced to—since April 15. Workers down at Anagram ResCare in Niagara-on-the-Lake, just east of Virgil. It's important to understand who these workers are. They're members of the Industrial, Wood and Allied Workers of Canada. But you see, they're rehab workers in what has become a private, for-profit, corporate and, oh yes, very American brain injury treatment program. Since the privatization of that facility we've seen not only the importation into Canada and right into Niagara of for-profit, American-style health care, we've seen the importation of not just American-style but Texas-style, George Bush-style labour relations.

Let me explain to you what the issues are in this labour dispute, because it is the workers themselves who have raised as an issue that they want to see resolved during this labour dispute the issue of adequacy of training. It's the workers who are calling for more training. It's the workers. And yet another issue on the table during the course of these negotiations is that it's the workers calling for management to ensure that every worker has first aid and CPR training. You see what's going on? It's not even wages that are their front issue, and I've got to tell you, the wages there are atrocious—wages of \$10 and change for people working with our parents, sisters, brothers, spouses, family friends who suffer brain injuries.

Let me tell you what else is on the table. Let me tell you what else is at issue in this labour dispute. These workers have been denied eligibility for WSIB, for workers' compensation. You've got to understand that, like everybody working in the health care area, injuries are not infrequent. When you're working with people in a very physical way, as so many health care workers must

and do, injuries are part of the job. But these 70 workers at Anagram are denied workers' compensation benefits, WSIB as it's called now.

Who are the clientele? Who are the participants in the treatment program at Anagram ResCare? Why, one of the largest single groups of participants, clientele, patients, if you will, at ResCare are referrals from WSIB. So WSIB is one of the largest sources of funding for this treatment program, to a private, for-profit corporate Texas, George Bush private health care corporation. The WSIB is one of the largest sources of funding. So even though WSIB is one of the largest sources of funding, the people who work in this program don't have WSIB coverage. Is that fair? Of course it's not fair. Oh boy, does that Texas management ever feel at home in this new Ontario, because those George Bush-Texas policies aren't just for Dallas and Houston any more. After Mike Harris and the Tories—and, yes, now with Ernie Eves—they're right at home here in the province of Ontario too.

These workers who have been forced out on the picket line since April 15, 2002, are now seeing, yes, very American-style scabs crossing their picket line to do their jobs, or at least try to do their jobs, because one of their real concerns is that the scabs—Mike Harris scabs, because, after all, you understand it was the Conservatives who repealed the NDP anti-scab legislation. And you should note this—and you might recall this, Speaker—that during that period of anti-scab legislation, labour strife was at an all-time low here in Ontario.

I joined those workers at Anagram ResCare down in Niagara-on-the-Lake last Friday morning, and not only did I join them but other trade unionists joined them, other working women and men, labour leaders. The steelworkers' Local 1005 brought out their sound truck with the amplifier on the back and the big speakers and, oh boy, they played "Solidarity Forever" over and over again. All of us together, all of us, were trying to bring some public focus on the plight of these workers.

Yes, wages are on the table, but they are the last of the concerns of these workers. The primary focus of these negotiations is the quality of the care being provided participants in this privatized, corporate, for-profit, US of A, American, Texas-based, private health care company. The primary focus of the workers is the quality of the care, the quality of the brain treatment programs.

**1640**

I tell you, there was nothing in this throne speech—nothing, not a thing—to speak to the encroachment of privatized and, yes, more often than not, American, corporate, for-profit health care here in the province of Ontario. This government has opened the doors wide open. It used to be that the lineup over at Niagara Falls in Buffalo, New York, was three wide and a mile long. Now that lineup's moving through the border as those American, for-profit, corporate health care providers are coming in here, into Ontario, and taking on business, setting up shop. They are bringing with them substandard treatment programs, they are bringing with them new



risks for the participants in these programs, and they are bringing with them American-style labour relations.

Well, let me tell you, Speaker, just like I told those workers, those IWA members, those Anagram ResCare workers down in Niagara-on-the-Lake, that the owners of Anagram ResCare, from Texas, as they are, may think that type of labour relations and that type of private, for-profit health care is OK in Texas, and it may well be, but it's not OK in Ontario. Ontarians are clearly saying no to private, for-profit health care, no to American-style labour relations. I'm convinced that Ontarians are standing firmly with workers at Anagram and other workers like them.

Oh, yes, there are other workers like them. You see, I've written to the Minister of Health; I've written to the Minister of Labour. I've written to the Minister of Health, because the Ministry of Health has the responsibility to accredit this treatment program for brain injuries, saying, "Look, you've got an obligation here to look into what's happening at Anagram to the level or the quality of treatment as a result of the labour dispute and as a result of the utilization of scabs by Anagram ResCare." I also wrote to the Minister of Labour. I said, "Minister of Labour, it's unconscionable that these health care workers should be disentitled to WSIB coverage. You, Minister of Labour, have a responsibility to use your power to tell Anagram ResCare that we expect health care workers to be covered by WSIB."

There are other workers like them. The other day I was walking up to Bloor Collegiate. There was a meeting of injured workers at Bloor Collegiate, down on the west end of Bloor Street. As I'm walking down Bloor on the north side, I'm passing a Quality Inn and I see a picket line, so I figure I'd better stop and inquire as to what's going on. There's rarely a picket line I've ever met where I haven't stopped and said hello. There's never been a picket line that I've crossed; I'll tell you that. I saw workers from the Quality Inn up there on Bloor Street who weren't on strike but were conducting an information picket. Stopping and talking to them, I learned that they, as members of HERE, are calling for region-wide negotiations, a region-wide contract, because right now HERE is negotiating at some of the big hotels, the big three—the Sheridan Centre, the Delta Chelsea and the Toronto Hilton—and the workers are looking for a little fairer share of the incredible new revenues that these hotels are enjoying. Do you understand? These hotel workers are the ones who clean the rooms, scrub out the toilets, the bathtubs and the showers, who change all the linens and vacuum and mop up the floor. Fair enough. Common sense tells us that some rooms are easier to clean than others, not because of the room but because of the person who inhabited it the night before. But these people are on a quota of 18 rooms a day to clean, less than 30 minutes a room for an eight-hour day, and these people are making \$10 and change an hour.

I know the line: these people get tips. I'm sorry. I don't expect any working person to have to rely on tips for their income. That's not what it should be about. I put

it to you that there's nothing in this throne speech to address the interests and the needs of low-income workers like those hotel employees I met on Bloor Street back last week on my way to an injured workers' meeting at Bloor Collegiate.

I'm saying to you that I could have been far more enthusiastic about this government's throne speech had it included, let's say, a reference to an increase in the minimum wage. Howard Hampton and the New Democrats have been calling for it now for seven years. Again, that seven years, there's something Biblical about that, isn't there? But maybe it speaks well for the next seven years. Did you ever think about that, Speaker? Maybe it speaks well for the next seven, in view of the fact that the last seven have been so horrible and so painful and that so many have suffered.

You've got a government here that has cultivated an anti-union climate, that's cultivated enhanced levels of poverty among the poorest workers. You see, over the course of the last seven years the cost of living has gone up by some 16.8%, 17%, give or take a half a point, yet minimum-wage workers continue to earn \$6.85 an hour.

Things were different when we were kids; I've got to tell you that as well. I think you know what I'm talking about. When we were kids, we did minimum-wage jobs in the service industry, in the retail industry and in the hospitality industry as part-time jobs. In and of itself, it wasn't the worst thing in the world, was it, for a teenager to earn minimum wage? But the problem is that now, in 2002, it's not kids doing minimum-wage jobs to earn part-time money; it's their parents doing minimum-wage jobs to support their families.

If you think for a minute that I'm not being straight with you, by God, I can take you down to Niagara. I can take you down to the Avondale store or the doughnut shop and I can introduce you to inevitably woman after woman after woman who's working 12, 13 and 14 hours a day for minimum wage to support herself and her kids. Yet this government can't for the life of itself find anything compelling about the call for a modest increase in minimum wage, at least to the minimum of \$7.50 an hour, which would barely put us on par with the United States. Ontario's minimum wage is lower than that of the United States, and the United States has never had a minimum wage to be particularly proud of.

You've got, inevitably, women out there—not teenagers; you've got 40- and 50- and 60-year-old women—continuing to work for the same minimum wage they were earning seven years ago, not a penny in salary increase in seven years, and no prospect of any with this government. The throne speech certainly didn't give it even the slightest notice.

**Mr O'Toole:** It's a new era.

**Mr Kormos:** Nor was there any reference whatsoever—well, you'd better tell me, you'd better use your two minutes and stand up and tell me, that these people don't exist.

**Mr O'Toole:** It's a new era, Peter.

**Mr Kormos:** Oh, a new era, some Tory backbencher says. You're darned right it's a new era. It's an era when working people become poorer and poorer. It's an era when their government looks at them with disdain and disgust. It's an era when the province of Ontario and its government tell poor working people, "Stay poor." You're darned right it's a new era. Seven years is enough.

Too many people have worked too long for this government's minimum wage for them to tolerate this government a moment longer. A modest increase in the minimum wage would have gone a long way to keeping some kids fed. A modest increase in the minimum wage would have gone a long way to keeping some poor working people housed. You've got people at risk of homelessness now for whom 10, 15 years ago the prospect of homelessness would have been unthinkable.

**1650**

I've got seniors in my riding who own their homes—they do—modest homes. These are hard-working people. Whether they're Croatians and others up in Welland south, off Broadway Avenue, whether they're Slovaks down in the east end, Italians down on Griffith or the Hungarians on Park Street, you've got folks down there in their 70s and 80s who have paid for their homes. They haven't seen a penny in increased support by way of seniors' assistance, but they have seen incredible increases in property taxes, incredible increases in natural gas rates, who now face the prospect of incredible increases in hydroelectricity costs and who, notwithstanding that, have worked hard all their lives. As far as they were concerned, they did all the right things. They saved and they sacrificed. By God, I'm old enough to have watched these people. They dug their own basements by hand. These same people are at risk of losing their homes. They're at risk of losing that small front and backyard that they care for so tenderly. They're at risk of losing the modest homes where they raised their kids and where they helped raise their grandkids. This government has abandoned seniors too.

There used to be a time when I was young and when you were young where people were worried about not living long enough. Now we're talking to seniors who are worried about living too long. They can't afford to be old because the supports for them in the event that they start to lose some of their mobility or some of their eyesight goes, where they need a little bit of help by way of home care, are being slashed and cut in every community in the province, Niagara region among them. These people worked hard and paid taxes all of their lives. Some of them in 1995 voted for this government. They did and they've been betrayed in a way that defies history, in a way that's cruel and mean.

New Democrats will continue to stand with working people. We will continue to stand with trade unionists. We'll continue to stand with hotel and restaurant employees. We'll stand and continue to stand with the IWA members down at Anagram. We'll continue to fight for an increase in the minimum wage. We'll continue to

fight for the restoration of anti-scab legislation, and we'll continue to fight for the right of working women and men to organize themselves into trade unions.

This government snubbed its nose at the appellate courts in this country by virtue of its reference of the appellate courts' determination that agricultural workers—and don't give me the line about the family farm. You guys are doing as much to destroy the family farm as anybody could. We're talking about workers involved in big, megacorporate farming. You don't want to see them organized either.

**The Acting Speaker:** Comments and questions?

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to be able to respond to the comments made by the member from Niagara Centre. His speech wasn't that different from many other speeches he's made in this Legislature. I was a little disappointed he didn't stick more to the throne speech. He talked an awful lot about strikes, about the WSIB. He talked about picket lines, how he'd stop and visit them. He talked a lot about minimum wage. I'm a little surprised at the position he'd take on minimum wage when his riding, as I understand it, has a fair amount of farmland in it. It's a fruit-growing area. I hear from farmers in my area that they're pretty concerned if the minimum wage is raised and what it would do to them and their cost of production. I'm very surprised, considering the area he represents, that he'd be commenting on that.

What I would have thought he'd be talking about is the nutrient management bill that was mentioned in the throne speech. I thought he'd be very supportive of that, especially when the socialists talk so much about environment. I thought that would be an area he would be on to.

He did get on to Hydro One and talked a bit about that, but from what I can gather, his option is: do nothing; the status quo is satisfactory. Well, the status quo is not satisfactory, but he seems to think it would be.

I thought he might have made reference to the select committee, when he had an interest in environment. That was mentioned in the throne speech. His seatmate is chatting with him there. I thought Ms Churley would be telling him what wonderful things were in it and I thought maybe he would be talking about that just a little bit.

I thought he'd be talking about action from the throne speech, because we are, as a party, extremely well known for doing what we said we were going to do. I thought the throne speech was dead on. I thought his concern would be, will we in fact follow through and will we continue to do what we said we were going to do?

**Mr Curling:** The member from Niagara Centre made some very important points. As a matter of fact, if he had four hours to go on, he would still talk about the inadequacy of this government. The only concern I have with that party is that, at a time when they find themselves in bed with the Tories, they find themselves being pushed out on the ground. But again, he made some extremely good points here.



As the member would say, he neglected to mention this and he neglected to mention that. What he is emphasizing is what the throne speech neglected to do, and there are so many things.

As a matter of fact, the picture that shows all those homeless people inside that place, all lying like that, came as a great surprise to the Conservative government. Surprise, surprise, surprise. This government, which has declared war on the poor, on children, on many struggling working families in this province, is now surprised that they are struggling to survive.

My surprise is what an effort they are making now to convert themselves as this rather compassionate government. But the people of Ontario are far more intelligent than many of us here, far more intelligent than the government of today. They have seen in what direction you are all going.

Of course you're feathering the beds of the rich and giving tax grants to all those who already have it. I have spoken to some of those individuals on Bay Street and they have said, "Enough. I don't want any more of that money. I'm embarrassed about it." But this government has continued to give.

The tuition fees continue to increase, denying people an education, denying individuals in our city who are qualified to work, not making the right legislation in order to make them accessible to that.

I'm kind of glad that this government is waking up to say, "We should speak more of what is not in the throne speech."

**Ms Churley:** I appreciated the comments made by my colleague from Niagara Centre—I got it right this time; not Welland-Thorold, which was what it used to be called at one time. To the members who didn't understand what he was talking about, it was very clear. He was talking about what was omitted, what wasn't in the throne speech, the kinds of things that are affecting a large segment of our population.

He's talking about the workers who haven't seen an increase in the minimum wage for seven years. At a time when the economy is growing in this province and MPPs are getting increases to their salaries and big corporations and rich people are getting tax breaks and higher salaries, the poorest, the lowest-paid people in our province, families, have not seen an increase under this government. There should have been at least a line in the throne speech recognizing that pathetic fact and stating that the government would finally, at last, increase the minimum wage in this province.

What is happening, what we're seeing more and more, is that these working families cannot afford to pay their rent and feed their kids. Many of them are showing up at food banks. Many of them, if they have not become homeless—and there are more and more children sleeping in the streets and motels in this city and in cities across this province. That's what the member for Niagara Centre was talking about.

I have a report here from the United Way that talks about the decline of people's standard of living and their opportunity to have a place to live. That—

**The Acting Speaker:** The member's time has expired. 1700

**Mr O'Toole:** I would like to rise and respond to the members for Niagara Centre and Toronto-Danforth, because they speak with one unified voice of disdain. I only have to look back to their time in office. Both were in cabinet at one time; one longer than the other, I might say. The problem is that they really mismanaged us into a difficult situation in 1995. We don't have to recount the terror of those five years in office. Whether they addressed long-term-care needs or the health insurance and auto insurance issues, most of it was a mishmash punctuated by the social contract and other dilemmas that they just didn't seem to be able to grapple with.

When I look at the throne speech, it is about new horizons and opportunities. I think the member for Northumberland probably summarized it the best that I've heard today, because I was actually here.

The one issue I want on the record is that the Premier—as spoken by the Lieutenant Governor, Mr Bartleman—said, "First, it will ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace.

"Second, it will ensure that the necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario.

"Third, it will bring market discipline to Hydro One—the province's transmission company—and prevent any possibility of the recurrence of staggering debts"—which we've talked about—"such as the current \$38-billion debt, while eliminating it" at the same time.

"And fourth, it will achieve these goals while protecting consumers."

I can say here in the House, as this debate—and in all fairness, the debate has really started with the NDP. The Liberals have been on both sides of the picket fence on this one. They really haven't got a policy. I do respect Howard Hampton's issue on this. He's the only guy that has championed it. The Liberals are false imitators—

**The Acting Speaker:** The member's time has expired.

The member for Niagara Centre has two minutes to respond.

**Mr Ruprecht:** Excuse me, Mr Speaker. We have one more round.

**The Acting Speaker:** No.

**Mr Kormos:** I recall the early 1990s: a deep, deep recession, revenues collapsing, a recession felt across North America and beyond. The New Democrats kept hospitals open. New Democrats kept schools open. New Democrats maintained social housing. New Democrats maintained secondary housing for abused women and other victims. During a time of an economic crisis that was felt beyond this continent, New Democrats maintained those fundamental services that kept people healthy and safe.

Let me speak to one more community in this province to whom this government's throne speech said nothing. This government's throne speech said nothing to the victims of Cornwall—children who have been abused, tormented and betrayed. This throne speech says nothing to the constant, persistent and legitimate call by the member for Ottawa West-Nepean for a thorough inquiry into what, in effect, is being said to be the prospect of a conspiracy that would protect abusers in Cornwall, a conspiracy that would have and did obstruct justice and perpetuate the injustice on so many young people.

This government's throne speech said nothing to those children. It said nothing to the member for Ottawa West-Nepean, who has championed those children's cause throughout his career here at Queen's Park. This government has little to be proud of in this throne speech.

**The Acting Speaker:** Further debate?

**Mr Bob Wood (London West):** Mr Speaker, I'll be sharing my time with the member for Brampton Centre. It will come as no surprise to the House that I by and large agree with the throne speech, because it fits in with my vision of the province. I'd like to share with the House what my vision of the province is so that they can see why I express the support I do for the speech.

One key to the future of this province surely is job creation. We have, of course, had the largest number of jobs ever created in a seven-year period over the past seven years, some 850,000 net new jobs. That, of course, contrasts quite vividly with the net loss of some 10,000 jobs in the five years preceding that. That job creation I think has been achieved by effective job creation policies. I would define those as being lower taxes, because we've known for at least the last 40 years that lower taxes create jobs, and developing some of the best regulatory policies in the world. A large amount of credit for the accomplishment of that in Ontario has been the work of the Red Tape Commission, which people sometimes think is to get rid of regulations, when their actual mission is to make sure that we have the most effective and efficient regulations possible. We compare quite favourably in that area with any jurisdiction in the world.

Job creation also involves building better infrastructure. We of course committed some years ago to invest some \$20 billion in infrastructure through the SuperBuild fund and many of those monies have already been invested and we've seen the results of that. Taking that approach as a whole has resulted in a major turnaround in the economic condition of this province. Of course, in order to get the social services and community safety that we want, we must have the resources to pay for them. If we are not able to see the kind of economic turnaround that we have seen, we would not be able to consider improvements in some of these other areas.

Before moving on to health care and education, I can't fail to mention that we had a serious failure of social policy for at least the 10 years preceding 1995, in that our social assistance policies were not working. Every year, good years and bad, the social assistance rolls went up. Finally, when we changed to policies that offered a hand

up rather than a handout, we found over the past seven years some 500,000 people have been able to move from the dependency of social assistance to independence. That is a success story that I think everyone in this province can be very proud of.

I'd like to also, before I totally leave the question of economic growth, refer to what I think the public really wants out of its government, be it municipal, provincial or federal. What they want is more and better service at a lower cost and they're quite justified in that expectation. They can look at other entities in the community that are doing just that. I think the real question, in the first part of the 21st century at least, that voters are going to ask is, who is best able to achieve that expectation?

I'd like to briefly touch on my thoughts on a few areas that I think are key to the future of the province. One is of course health care. We know there are problems in the system. I think Ontarians by and large also recognize we have one of the best health care systems in the world. They're very proud of that, and justifiably so. On the other hand, they do recognize that there are problems. I'd like to suggest where I think the solutions to some of these problems could be found.

1710

We have not had what I would consider to be a really effective system of funding hospitals. We are now moving to what is in essence a population-based system of funding hospitals. I think that's a step forward. But I think ultimately what we should do is move to a system where hospitals are actually paid for the services and procedures that they provide, so if they do extra work they get paid for it; if for whatever reason they're doing less work, they receive less money. That would get us out of some of the problems of micromanagement of the system and all the frustrations that this can involve. I also think that we are quite right in looking at primary care reform, but achieving that requires us to move at a faster pace than we're moving at now. We know what a significant number of the answers are; we don't know what some of the answers are, so we've got to try what we think will work and see if it really does work. But I do think we have to proceed at a considerably faster pace than we are now if we're going to achieve the results that people want. Part of that, by the way, involves regulatory reform. We have to see if how we govern the various health care professions is really what's needed for the 21st century or whether some changes are needed.

We also have to look at how we fund the community care access centres. We have put hundreds of millions of dollars of new money into community care, and that has been the right thing to do because medical science tells us that is how health care can most effectively be delivered in so many cases, where it had to be delivered in the hospital 20 years ago. So I think the progress we've seen over the past seven years has been very, very substantial and it has all been in the right direction. It's also true that we have to take a look in the CCACs to see whether or not the system could be improved. That goes to the question of how we finance the CCACs. In the way



that we have to change our funding formula to the hospitals, we have to do the same thing with respect to our community care access centres. I think we have to take a look at the possibility of funding them on a fee-for-service basis as well, in the same way as we fund, for example, our children's aid societies now. I think that will get us out of some of the micromanagement we've seen in the past and some of the problems that entails. It will also provide better service for the people of the province. When I propose this sort of thing, of course, you also have to have auditing to make sure the services that are being provided are only those that are needed and are within the criteria.

I'd like to talk very briefly about the education system. The fundamentals of the reforms we've made have been right, but I do think that now is the time to look at ways of giving the individual school boards more authority to manage their own systems while at the same time holding them accountable for the results they achieve. I think if we did that, we would see some significant improvements in the service they're able to provide to the people they serve. That means as well that we have to lift some of the restrictions we now impose on the school boards. We can't on the one hand ask them to engage in more effective management and then not permit them to do any more effective management.

I'd like to refer very briefly to the question of teacher recertification and testing. I've spoken in the House earlier on that and I do think we have to take a look at whether or not the recertification program is a good one and make quite major changes in it if we conclude that it's not. We also have to look at whether or not the form of teacher testing is the most effective possible—I think it perhaps is not at the moment—and take a look at some forms of testing that would be more effective.

I'd like to talk very briefly as well about community safety. We have had a 28% drop in reported crime in Ontario from 1995 to 1999. That is a major step forward for the government of Ontario and for the people of Ontario. We now have to look at how we are going to achieve an equal and greater cut again in reported crime. I think the answer to that lies in three areas. One is effective early intervention. We're well started on that with the Healthy Babies, Healthy Children program. Better enforcement—I think our enforcement policies are very good right now but we do have to make sure that our police forces have available to them the latest thinking in order to achieve the most effective enforcement. We also have to take a look at whether or not our corrections system is avoiding reoffence, ie, doing what's most likely to avoid people reoffending. I think if we do that, we can look forward to some very, very positive results in terms of reduction in reported crime.

In 1995, the people of Ontario voted for real change for the better and they got it. I think we can look at our province today and see it as one of the best places in the world in which to live, work and raise a family, and the future is only brighter if we do it properly.

**Mr Joseph Spina (Brampton Centre):** I'm pleased and honoured to follow the member from London South, because he always has a very enlightened perspective on things. I'm pleased to speak following him.

I just wanted to start by remembering that the title of the speech from the throne, or the theme, was "A New Era for Ontario." In fact, I would modify it somewhat to say that it is a continued new era for Ontario, for I think it started in 1995 with the election of Mike Harris and the Common Sense Revolution. I was very pleased to be part of that and honoured to be part of that team and pleased with the accomplishments that we were able to achieve during that period. Because you see, Ontario today, as is in the throne speech, is a different place than it was a few short years and indeed a few short months ago. The actions of this government were the right actions for the right time.

I'd like to share with the people of the Legislature and the public who are not watching the Y&R—and I'm pleased that the people were watching the Y&R and not the member for Welland-Thorold. In any case, we want to stress the success of 1995 to 2002 in Ontario and how we really got here. "Successive generations of industrious and innovative Ontarians have built a multifaceted, high-tech, manufacturing and exporting powerhouse that generates incredible wealth." That's right out of the throne speech. I want to use that to severely contrast the successes of this province, specifically the city of Brampton, the region of Peel and the city of Mississauga, to the constant whining that we're always hearing from Toronto and the constant whining that we're hearing from Ottawa that the province isn't doing enough. Do you know what? Get off your backsides and do it. The city of Brampton does it; the city of Mississauga does it. Let me just share with you some of the facts that have gone on.

Brampton's population grew by 21% from 1996 to 2001. On March 12, Canada's chief statistician released the findings of the first census survey conducted in June 2001. The population of Brampton in the spring of 2001 was 325,428 people. The number of persons per private dwelling was 3.3; that is to say, on average 3.3 live in each of Brampton's 98,753 private dwelling units, on a land area of 267 square kilometres.

Brampton was ranked as the 14th most populated city in Canada. Our 2002 population estimate is 352,000, and at this level we have surpassed the cities of London and Laval, Quebec. Surrey, BC, has a similar growth pattern and also continues to lead. The rank of Canada's 15 largest cities are in this order: Toronto, Montreal, Calgary, Ottawa, Edmonton, Winnipeg, Mississauga, Vancouver, Hamilton, Halifax, Surrey, Laval, London, and Brampton at 14.

**1720**

It never fails to astound me why these larger cities have these problems and can't seem to be able to cope with what's going on. We have done a super job with our mayor and our council. The community has come together, the investment community is there, the work community is there and the industry base is there to make

Brampton work. Brampton businesses have not only survived but flourished during last fall's general economic slowdown, especially in the areas of new job creation and business relocations and start-ups.

In 2001, the city of Brampton issued more than \$1 billion worth of building permits. Overall, the city of Brampton finished as the eighth most active development market in Canada, and that is from Statistics Canada. It's not a concocted figure; it is from Statistics Canada.

In 2001, the city welcomed major companies locating here. Why? Because we're just terrific. Coca-Cola Bottling Co: a \$150-million investment, the largest single investment Coca-Cola has made in North America in modern times and the largest single investment in Canada. Loomis Courier Service, Maritime-Ontario Freight Lines, Yusen Air and Sea Service: in January, the city released figures that show an 18% increase in new jobs in Brampton over 2000. The city's annual year-end business development report showed a total of 221 new businesses created in the city, with a resulting 4,500 new jobs. That compares with an increase of 3,800 new jobs created in 2000.

Do you want to know where to go, folks, where things work? Come to Brampton. Small business flourishes. Inquiries related to starting and growing small business by local entrepreneurs at the Small Business Enterprise Centre climbed by 15% between 1999 and 2001. More than 80% of all new Brampton businesses have fewer than 10 employees, a figure that mirrors the national average.

When you're looking at this kind of economic activity, unquestionably you take the opportunities that are presented to you within the economic environment created by the upper bodies of government like the province, and in some cases the federal government, where there were a few; but particularly the opportunity to invest, grow and deliver a strong economic environment for your community, this is where it works.

Last year's annual economic report showed that on a year-over-year basis, 2000 to 2001, residential construction rose 3%; housing resale activity, 19.6%; average home prices, a 4.9% increase; the industrial vacancy rate dropped 31.3%; the unemployment rate, 17%; and activity unemployment insurance claims were up by 69%.

New companies that are coming this year—we're not done yet, folks: Nestlé Canada, Culligan, Hostess Frito-Lay and Best Buy are all opening office and industrial facilities in Brampton in 2002. This province is eager to move forward. This province has diverse neighbourhoods, diverse industry and diverse opportunities, and this throne speech reflects a continuation of the direction that we have been on. The downturn in the fall of this past year has been easily compensated by an upturn. We didn't even slow down in housing resales in Brampton. We weathered through it. I was amazed when I talked to my real estate agents and my automobile sales friends about how things were going in Brampton. Do you know what? Everybody was complaining that they didn't have time to take a winter vacation.

Ontario works well. The city of Brampton works well. This throne speech will bring us to the future successfully.

**The Acting Speaker:** Comments and questions?

**Mr Ruprecht:** I listened with great care to my friend across the aisle, the member from Brampton Centre, especially when he said that this throne speech is the right action for the right time. Let me submit that he didn't even know the transmission grid was for sale, was up for grabs. It was nowhere to be found in the Common Sense Revolution. Was it in there? Did you know? Did any of you know it was up for grabs? You didn't know and now you're telling us, "Oh, yes, it's the right action for the right time."

How can this be the right action for the right time when we have a revolution brewing, right across Ontario, against the very sale of Hydro One and the transmission grid? Do you want me to read all the towns and cities that have produced resolution after resolution telling the Premier and your government to stop the sale of Hydro One and the transmission lines, and on top of that, of course, not just the transmission lines but also the very transmission corridor upon which these lines are settled? I find it of great interest when the member says, "Oh, yes, this throne speech is the right action for the right time."

Let me just simply indicate here that we have at least 25 cities and towns across Ontario that are saying, with their own voices and resolutions, to stop. I would simply submit that the language against the sale of our transmission grids and land should be a lot stronger. We should follow the Americans and what their criticism has been. They simply say the following—and we should agree with it—"Deregulation has been a licence to profiteer and steal from workers, pension-holders and shareholders." That's the language we should be using here.

**The Acting Speaker:** The member's time has expired.

**Ms Churley:** It appears as though I'm not actually going to have time to speak later today; maybe I'll get an opportunity another day.

I did want to address some of the issues in this study done by the United Way. It's called *A Decade of Decline: Poverty and Income Inequality in the City of Toronto in the 1990s*. I find it sad actually to listen to some of the members from the Tory side get up and bash Toronto and Ottawa while at the same time they brag about their own municipality. I believe it is the job of all of us here to care about what is happening to people all over the province.

If you look at this report—and I urge the members to do so—what this tells us is that there are now 11,300 more seniors living in poverty than in 1995 when they came into government. That's a 40% increase in numbers. For kids, our children, our future, poverty increased by about 14,310 in the city of Toronto. These are real numbers, but these are not just numbers, they're real people. We have a crisis on our hands and the members sit over there and continue to ignore the reality of what's



happening to people within this city and across the province. It is incumbent upon all of us to look at this and talk about what we are going to do to fix it.

I also want to remind all the members in this House that the people of Ontario are not just talking about their opposition to the sell-off of the hydro transmission lines and the land, but are also in opposition to the sell-off of the generation of our power as well.

**Mr John Hastings (Etobicoke North):** It's interesting to listen to some of the comments from members opposite, particularly with respect to the Hydro One issue. From the ones I've listened to today and read in Hansard, not once do we see an acknowledgement—whether you keep this in a public monopoly or you opt for some other format—from the critics of the massive amount of capital investment that's going to be required by this facility, both generation and transmission, over the next number of years. Not once do we hear that it will be a requirement. You're going to have to have monies for this kind of thing, and if you keep it in the public sector as a monopoly you're going to have to get that money from the ratepayers and from the consolidated revenue, those combinations. We don't see any acknowledgement as to the number of billions that'll be required. Oh no, they're totally quiet on that. We just hear the rhetoric that it's got to be kept in the public domain.

1730

They'd have a lot more credibility, especially the member for Davenport, if they would acknowledge that you do have to put money back into the hydros, and particularly the Hydro One purchases that have been made of the retail utilities.

A lot of those retail utilities—

*Interjection.*

**Mr Hastings:**—including the city of Toronto, for the member for Kingston and the Islands, if he's interested—require considerable investment—hundreds of millions of dollars, in contrast to the suburban hydros in the old configuration. No, let's not talk about that reality. Let's just keep it at the rhetoric level. Well, I'm going to bring it down to a more practical level.

The same could be said regarding the homeless. We don't even have an inventory of the number of spaces we need for the homeless in this city.

**Mr Bradley:** I was looking forward to the member's comments on the circumstances facing the people of Port Colborne, who have had to face nickel contamination and contamination from other metals for a number of years on the property which is adjacent to the Inco operation in Port Colborne.

The member has been the parliamentary secretary to the Minister of Northern Affairs at one time—I think I'm correct in saying that—and he may be aware that the people there have experienced some real hardship. These are the people living immediately adjacent to the Port Colborne operation.

I had a chance to meet with them. I've met a number of times with the mayor of Port Colborne and others associated with this and I had a chance to engage in a

dialogue with these individuals at a public meeting. Certainly they are dissatisfied at this point in time with two things: the offer that has been made by Inco to undertake a cleanup of the area, and second, they are unhappy with the order which has been placed on Inco by the Ministry of the Environment because they believe that the provisions of that order are insufficient to meet their needs. In other words, the levels that they're dealing with are not levels that people find acceptable.

I might say that there was an example in both the Niagara neighbourhood of Toronto and south Riverdale where I can recall, as minister of the day, going beyond what some of the so-called experts were saying were the levels to which we should clean up. I believe that the government should look beyond the levels that have been contemplated in the order which affects the people of Port Colborne. I think they would have liked a better process, with the Ministry of the Environment front and centre in dealing with their problems. I believe that they're looking for further assistance in terms of staff assistance, time, effort and energy from the Ministry of the Environment in this regard.

**The Acting Speaker:** The member for Brampton Centre has two minutes to respond.

**Mr Spina:** On behalf of my colleague the member for London West, I'm pleased to respond to the comments made by the other members.

With respect to the issue on hydro, we were informed of what was happening last fall in caucus. Furthermore, I will say that Brampton Hydro was sold and bought by Hydro One. It's amazing that the whole process went through flawlessly. The city has now capitalized on the opportunity to use those funds for other elements in infrastructure in the community. The rates have dropped and continue to drop.

How many letters did I get about the potential sale of Hydro? I can tell you: six. Six letters are what I've received regarding the potential sale of Hydro. And you know what?

*Interjection.*

**Mr Spina:** Well, it wasn't cold this winter? Come on. Furnaces run all winter long.

Do you know why we only got six letters? Because they didn't have a member crying and fearmongering all over the community, in the local newspaper, scaring the heck out of everybody that prices were going to fall through. You know what? The prices are falling, not the sky, and I credit Dan Newman for making that comment.

Now to the other member from Toronto: we don't ignore the reality; we address it. That's what economic success allows you to do: deal with the issues of the homeless. Peel social services has the most successful Ontario Works program in this entire province. I personally was very proud to open the facilities in Brampton, with the region of Peel, to address the needs of the homeless.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr David Caplan (Don Valley East):** I will be sharing my time with the member from Kingston and the Islands and the member from Windsor-St Clair.

It is a pleasure on behalf of the people of Don Valley East to speak about the throne speech that we heard here May 9, 2002, after a very lengthy delay in getting back to the House and dealing with the people's business.

A throne speech indicates where a government has been and where they want to go. Today, I want to talk about some of the elements contained within the throne speech and some of the elements that were left out of the throne speech.

First and foremost—and I haven't heard any government members talk about this—I want to quote directly from the throne speech. It says, "Ontarians have said they do not want classrooms and hospitals to be battlegrounds. Your government has heard that message." Well, for the last seven years, members on this side of the House have been saying precisely that, that it's the legacy of Ernie Eves and his cuts to education and health care—at Mike Harris's urging, of course—that have made our hospitals and schools battlegrounds. Now all of a sudden, about a year toward an election, the government of Ernie Eves is saying, "We're not going to do that any more." Well, why did you do it in the first place? I was really very shocked and dismayed not to see any member of the government mention that in any of the comments they've made in relation to the throne speech. Ontarians do not want classrooms and hospitals to be battlegrounds.

Other elements that are contained in the throne speech: "Your government remains committed to choice ... in Ontario's education system." What does that mean? It means half a billion dollars of Ontario taxpayer-funded programs will now be going to private schools. Ontario is now committed to funding half a billion dollars toward private schools. That is shocking. It is absolutely an abdication of responsibility. We should be investing in public education and what's happening in the classrooms all around Ontario, not in private schools for a select few.

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** Shame, shame.

**Mr Caplan:** I know the member from Thornhill is ashamed that the government is committed to what they call choice in Ontario's education system by putting money into private schools.

Other elements of this throne speech: "Your government recognizes the private sector's contribution in our publicly funded system....Your government is committed to finding new ways to foster innovation, based on partnerships with the private sector." What does that mean? Two-tier health care. We've got two-tier Tony Clement, as our health minister, and now two-tier Ernie Eves committed to two-tier health care in the Vision for Ontario; an expanded private sector role in the provision and delivery of health care services. It couldn't be any plainer than that.

I must tell you, the people of Don Valley East have said very clearly that they want public education, they

want public health care, not the kind of code and the kind of vision that are outlined in the throne speech.

A couple of other things that are contained in the throne speech: one is something called tax-exempt bonds, a way for municipalities to raise capital dollars to fund the infrastructure they so badly need. I thought Ernie Eves had told us all of these years that debt and public debt, whether it's federal, provincial or municipal, was a bad thing. But in the throne speech, this major initiative of the Eves government is municipalities, your cities and towns, which is simply further tax increases, incurring huge amounts of debt at the government's request; again, a very serious and a very silly, if I could put it in those terms, way to approach public financing of much-needed infrastructure like roads, water, sewer, and all of those things that we depend on in our daily lives.

1740

A couple of things that weren't included in the throne speech—seniors: not one mention, not one word, about the plight of seniors in Ontario today. We had the privilege of having about a dozen seniors from Leisureworld in Don Valley East here at the Legislature today. They were shocked to hear the Minister of Health talk about the generosity of the government as it relates to seniors in long-term-care facilities and the kinds of care they get. Their experience, as they were telling us here in the House and afterwards to the media, is not what the minister indicated. In fact, it's very clear from the throne speech document that seniors are not a priority; they are for Dalton McGuinty and the Liberal caucus. We think that seniors who have built this country deserve the respect and dignity to be able to live in their communities in a way that is incumbent upon us to provide.

Another area not covered: housing. There are several references in here about making partnerships with the federal government when it comes to health care or training, yet I know the federal government has put \$250 million on the table. The Ontario government does not want to put up one nickel. They don't want to put up any money to solve the housing problem, which is ironic, because the day before the throne speech, May 8, Ernie Eves said he wanted to alleviate the problem of homelessness. If permanent housing isn't the solution, I don't know what is. But the fact that it's not in the throne speech tells you what the priorities are or aren't of the Eves government.

Of course, many have talked about Hydro. I can tell you that I have had public meetings; I have petitions. The last speaker said he's only received six calls. Multiply that by over 100 in Don Valley East.

This throne speech is no panacea. It's not going to help the people of Ontario. Dalton McGuinty and the Ontario Liberal Party have a vision for working families in Ontario. I tell you, as sure as I'm standing here, when push comes to shove, when we have an election, the people of Ontario are going to have a much better plan to vote for.

I'm going to turn the floor over to my colleague.



**Mr Dwight Duncan (Windsor-St Clair):** I am pleased to have the opportunity to address the government's speech from the throne on behalf of the people of Windsor-St Clair who sent me here.

I want to address in the brief time available to me four issues: the sale of Hydro One; health care commitments and undertakings in the throne speech; education; and what I perceive to be in this throne speech the lack of any real plan by this government on a whole variety of issues.

First of all, the people in my community have expressed to me through calls and e-mails and letters their very strong opposition to the sale of Hydro One, a position that Dalton McGuinty and the Ontario Liberal Party have been consistent in from the beginning. We do not believe it's in the province's interests, nor do I, to sell Hydro One. Hydro One is the nerve centre of our province. It is our power grid. It takes power from where it's generated to our retail suppliers in communities and it makes money.

We on the opposition side have watched with some fascination as the government has moved from one position to another to another to another with no clear definition of where they want to be at the end of the day. It appears as though they're in a slow retreat almost on some days, and then on other days it appears as though they still haven't learned the lessons.

Unlike the New Democrats, we believe there's a place for competition in the generation of power. We don't want to go back to the bad old days of Bob Rae and the stranded debt. We believe that a managed competition model within power generation is in the best long-term interests of this province in terms of ensuring secure, reliable, affordable electricity into the future.

The speech from the throne made several references to health care, among them diagnostic imaging and new treatments. They talked, we felt, in code language—code language for two-tier health care. In my community in Windsor, a number of people worked together for many years to buy new MRI machines, but of course it wasn't until this throne speech some four years later that the government announced new funding for the actual operation of those MRIs. We had the bizarre situation of the machine being available but it not being funded to its full capacity.

Long-term care and home care in my community: whether you live in Riverside, Forest Glade, Tecumseh or St Clair Beach, there are greater numbers of people than ever living at home. Just last week we had a forum in Windsor and I was intrigued by the comments of Carol Derbyshire, the executive director of Hospice and the chair of Windsor Regional Hospital, who indicated that we've cut the number of hospital beds from 1,200 to just over 688 with no corresponding increase in the amount of funding to provide services in-home for seniors—a complete failure on the part of this government.

I have heard from constituents in my riding. I had a famous incident where a blind older gentleman, 81 years old, had his home care cut and he accidentally set fire to his apartment because he had to prepare his own meals. It

wasn't until my intervention that his home care—at least a portion of it—was restored.

In education, this government maintains its position that it has half a billion dollars for private schools through the education tax credit, for schools that the Premier now acknowledges will not be constrained by the curriculum of Ontario, for lack of a better word, will not be subject to the same kinds of rigorous scrutiny that our public schools are.

It's interesting that just this week outside my office I had a group of eloquent, impassioned young students from Herman secondary school protesting—not the government, because they're not political. They weren't put there by anyone. They just came because their textbooks are inadequate, their teaching resources are inadequate. They are not getting the education they believe they're entitled to. The minister from Huron county laughs, but these children took up—

**Hon Helen Johns (Minister of Agriculture and Food):** So does Jim Bradley.

**Mr Duncan:** —a petition that had over 1,000 signatures in two days. They protested at my office. They're not partisan; they weren't put there by the federations. They were put there by their own frustration with an education system that's not serving them fairly or adequately.

The minister opposite can laugh all she wants, but these people are coming up here to bring their own message, and there were young people across this province who took similar action. I met with those students Friday afternoon. They'd been out three days, and a number of those students have been suspended for taking the action they did. I must say, and I said this to the director of education in Windsor, Mary Jean Gallagher, who'll be familiar to many members, "Mary Jean, you should be proud to have those young people in your system. They were articulate, intelligent and frustrated and they expressed their point of view in what I felt to be a most constructive and positive manner." This petition has over 1,000 signatures which they gathered in two days. I've presented it on two occasions. I will continue to present it throughout the course of this sitting.

I want to conclude by saying that we've now been sitting almost two weeks. We've not had one bill introduced by this government—

*Interjections.*

**Mr Duncan:** I'm sorry, except the first bill, the traditional bill. We have not had any kind of plan from this government with respect to Hydro One. All we know is we're going to get the legislation and then this summer they're going to announce their plans with respect to Hydro long after the Legislature's adjourned.

**Mr Caplan:** They want a blank cheque.

**Mr Duncan:** They want a blank cheque. Well, they're not going to get it. They're going to get a fight. We're going to fight this speech from the throne. Dalton McGuinty and the Ontario Liberals present the only credible alternative to this government, and we'll be

prepared to form a government in a year's time when Ontario's residents throw this gang out once and for all.

1750

**The Acting Speaker:** Further debate?

**Mr John Gerretsen (Kingston and the Islands):** I too just want to add a few brief comments about the throne speech. Particularly in my new capacity as critic for long-term care, I was very, very disappointed that there was not one mention about seniors or long-term care in the entire throne speech.

I really believe we owe it to our seniors in this province—people who have given so much of themselves so that we could enjoy the kind of province we have today—to give them the highest possible standards we can in their nursing homes. As you know, Speaker, there are over 60,000 Ontarians currently in nursing homes and homes for the aged. Many of these people need a lot more care than they're currently getting.

I think it's interesting, from a question and answer that occurred in the House today, that from an independent study commissioned and paid for by the ministry—let's just read what some of the results of that study were a year ago. The long-term-care residents, and the staff and associations involved in making sure the lifestyle these people have is the best possible in the province of Ontario, have been wondering for the last year when the government is going to move on this study. This was the study that was conducted by PricewaterhouseCoopers. It concluded that long-term-care residents in Ontario received the least amount of nursing and therapy services, behind all of the jurisdictions that were studied.

What kind of jurisdictions were studied? In Canada, they looked at Manitoba and Saskatchewan. In Europe, they looked at some of the northern European countries: Sweden, Finland, the Netherlands. In the States, they looked at four or five different states. We were the lowest in the amount of nursing care and therapy services delivered to our seniors.

It goes on to say that residents in our senior citizens' accommodations received the least amount of registered nursing care and the least amount of nursing and personal care of any of those jurisdictions. They received less than two hours of support from program staff, well below the other jurisdictions.

At least two thirds of the people we now have in our senior citizens' homes require some sort of help. They've got motion problems. They are older. They are sicker. They are frailer than they've ever been before. Many of these people are in their late 80s and early 90s. They need our help, the help that this society and this government can give them. Yet, what has happened to them? Absolutely nothing. There has been no contribution from

this government that should have eased their burden to some extent.

You may recall yesterday an issue was raised here that many of the seniors in these homes only get one bath per week. The Minister for Long-Term Care thoroughly denied that yesterday.

It's interesting. Today, when we interviewed the seniors who came here to listen to question period, I believe out of the 10 interviewed by our staff afterwards, nine admitted that all they're entitled to and all they're getting is just one bath or shower per week.

I say to this government if that's all we can afford to do for the people who have contributed so much to our province, then I think that is shame on all of us. I would urge the government to move on the request the seniors have made and do something about it. We'll be waiting to see when the budget comes down two or three weeks from now what's actually in there for them.

*Interjections.*

**Mr Gerretsen:** I hear all the ministers on the other side complaining and yelling and screaming, but they darn well know I've touched a sore nerve. They know what I'm talking about is precisely the issue.

When a person in a nursing home in Mississippi can get twice the amount of hours of nursing care that we provide to people here in Ontario, I say shame on us and shame on this government. Shame on the government.

There is an awful lot missing in this throne speech. When a government that wants to set a so-called new direction doesn't mention seniors or long-term care and the kind of care they need in their throne speech, not even once, it is a sad state of affairs that we have in this province.

That's why we had over 50,000 people sign cards for themselves and for their family members. Here they are: 50,000 cards were delivered to the Minister of Health and Long-Term Care today, signed by people saying, "We want better services for our parents, for our grandparents." What do these cards say? These weren't put together by some political party; these are from the people themselves. They say that the average senior in our homes gets four minutes a day of assistance for getting up, washing, dressing and getting to the dining room. They get 10 minutes for assistance with eating and they get one bath a week. I'm saying to you—and I hope the members of the government will agree and put pressure on the government, put pressure on the cabinet—to make sure there is more funding for these seniors in the next budget.

**The Acting Speaker:** It being almost 6 of the clock, this House stands adjourned until 10 am tomorrow, Thursday, May 23, in the year 2002.

*The House adjourned at 1756.*



## TABLE DES MATIÈRES

**Mercredi 22 mai 2002**

### **PREMIÈRE LECTURE**

<b>Loi de 2002 sur la protection de l'emploi des pompiers volontaires,</b> projet de loi 30, <i>M. Arnott</i> Adoptée.....	228
<b>Loi de 2002 sur la Semaine de reconnaissance envers les conducteurs d'autobus scolaires,</b> projet de loi 45, <i>M. Parsons</i> Adoptée.....	228
<b>Loi de 2002 modifiant la Loi sur l'électricité (protection du consommateur),</b> projet de loi 55, <i>M. Hampton</i> Adoptée.....	229
<b>Loi de 2002 sur la Semaine commémorative des génocides,</b> projet de loi 56, <i>M. Wood</i> Adoptée.....	229

### **QUESTIONS ORALES**

<b>Rapport de l'enquête sur Walkerton</b> M. Bisson.....	238
Mr Stockwell .....	238

# CONTENTS

Wednesday 22 May 2002

## MEMBERS' STATEMENTS

<b>Automotive industry</b>	
Mr Kwinter .....	225
<b>Chinese freemasons</b>	
Mr Wood .....	225
<b>Canada Southern Railway</b>	
Mr Peters .....	225
<b>Holy Trinity Catholic High School</b>	
Mr Barrett .....	226
<b>Development of agricultural land</b>	
Mr Bradley .....	226
<b>Northern university funding</b>	
Ms Martel .....	226
<b>Quilt project in Stratford</b>	
Mr Johnson .....	227
<b>Ambulance services</b>	
Mr Agostino .....	227
<b>Richard Lovekin</b>	
Mr O'Toole .....	227

## REPORTS BY COMMITTEES

<b>Standing committee on regulations and private bills</b>	
Mr Marchese .....	228
Report adopted .....	228

## FIRST READINGS

<b>Volunteer Firefighters Employment Protection Act, 2002, Bill 30,</b> <i>Mr Arnott</i>	
Agreed to .....	228
Mr Arnott .....	228
<b>School Bus Driver Appreciation Week Act, 2002, Bill 45, Mr Parsons</b>	
Agreed to .....	228
Mr Parsons .....	228
<b>Electricity Amendment Act (Consumer Protection), 2002, Bill 55, Mr Hampton</b>	
Agreed to .....	229
Mr Hampton .....	229
<b>Genocide Memorial Week Act, 2002, Bill 56, Mr Wood</b>	
Agreed to .....	229
Mr Wood .....	229

## MOTIONS

<b>Private members' public business</b>	
Mr Stockwell .....	229
Agreed to .....	229

## ORAL QUESTIONS

<b>Ontario security</b>	
Mr McGuinty .....	230
Mr Runciman .....	230
<b>School safety</b>	
Mr McGuinty .....	230
Mrs Witmer .....	231
<b>Privatization of public services</b>	
Mr Hampton .....	231
Mr Eves .....	231
<b>Ontario budget</b>	
Mr Hampton .....	232
Mr Eves .....	232
<b>Alcohol and gaming control</b>	
Mr Colle .....	232
Mr Eves .....	232
<b>Municipal economic development</b>	
Mr Spina .....	233
Mrs Molinari .....	233
<b>Hydro corridor lands</b>	
Mr McGuinty .....	233
Mr Eves .....	233
<b>Ontario summer jobs program</b>	
Mr Galt .....	234
Mrs Cunningham .....	234
<b>Safe drinking water legislation</b>	
Ms Churley .....	234
Mr Stockwell .....	234
<b>Long-term care</b>	
Mr Gerretsen .....	235
Mr Clement .....	235
<b>Smart Growth</b>	
Mr O'Toole .....	236
Mr Hodgson .....	236
<b>Hydro One</b>	
Mr McGuinty .....	236
Mr Stockwell .....	237
<b>Nutrient management</b>	
Mr Johnson .....	237
Mrs Johns .....	237
<b>Walkerton inquiry report</b>	
M. Bisson .....	238
Mr Stockwell .....	238
<b>Ministerial conduct</b>	
Mr Ramsay .....	238
Mr Stockwell .....	238
<b>Probation and parole services</b>	
Ms Mushinski .....	239
Mr Runciman .....	239

## PETITIONS

<b>Long-term-care facilities</b>	
Mr Bradley .....	239
<b>Safe drinking water legislation</b>	
Ms Churley .....	240

## Community health care centre

Mr Beaubien .....	240
Mr O'Toole .....	242

## Hydro One

Mr Hoy .....	240
Mr Crozier .....	241

## Competitive electricity market

Ms Martel .....	240
Mr Barrett .....	241
Mr Ruprecht .....	241
Mr Peters .....	242

## Ontario disability support program

Mr Christopherson .....	241
-------------------------	-----

## Child care

Ms Martel .....	242
-----------------	-----

## Province of Ontario Savings Office

Mr Christopherson .....	242
-------------------------	-----

## THRONE SPEECH DEBATE

Mr Kormos .....	243, 248, 252, 254, 257
Mr O'Toole .....	243, 245, 257
Mr Peters .....	243
Mr Bisson .....	244
Mr Bryant .....	244
Mr Bradley .....	248, 249, 253, 261
Mr Kennedy .....	248, 250
Ms Churley .....	249, 253, 257, 260
Mr Ruprecht .....	251, 260
Mr Patten .....	251
Mr Bartolucci .....	252
Mr Curling .....	253, 256
Mr Galt .....	256
Mr Wood .....	258
Mr Spina .....	259, 261
Mr Hastings .....	261
Mr Caplan .....	262
Mr Duncan .....	263
Mr Gerretsen .....	264
Debate deemed adjourned .....	264

## OTHER BUSINESS

### Visitors

Mr Caplan .....	227
Mr Bisson .....	228
Mr Peters .....	229

### World Cup celebrations

Mr Marchese .....	228
-------------------	-----

### Walkerton tragedy

Mr Duncan .....	229
Mr Stockwell .....	229
Mr Hampton .....	229
Mr Kormos .....	229
Mr Murdoch .....	230

*Continued overleaf*





# Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

# Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Thursday 23 May 2002

Jeudi 23 mai 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

MAY 29 2002

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-325-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-325-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 May 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 23 mai 2002

*The House met at 1000.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

FAIRNESS IS A TWO-WAY STREET ACT  
(MINERS AND FORESTRY  
WORKERS), 2002

LOI DE 2002 PORTANT QUE LA JUSTICE  
N'EST PAS À SENS UNIQUE  
(MINEURS ET TRAVAILLEURS  
FORESTIERS)

Mr Ramsay moved second reading of the following bill:

Bill 14, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario / Projet de loi 14, Loi interdisant aux résidents du Québec d'exercer certaines professions minières et forestières en Ontario.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the member for Timiskaming-Cochrane. According to standing order 96, you have 10 minutes to debate.

**Mr David Ramsay (Timiskaming-Cochrane):** It saddens me that I have to return to the Ontario Legislature with the very same bill I brought forward three years ago now to try to address a very chronic problem that not only affects the economy of my riding of Timiskaming-Cochrane but all of northeastern Ontario, and that also spills into some other parts of northern Ontario.

This government will be well aware that it recognized a similar problem that happened, and is still happening, in the construction industry affecting southeastern Ontario, particularly the Ottawa-Carleton area, and back in 1995 actually passed Bill 17, the Fairness is a Two-Way Street Act, in regard to construction workers.

What my bill attempts to do today is basically parallel the thrust that the Harris government of that day took in regard to construction workers and to make sure the jurisdiction of this bill would include woodcutters, wood haulers and miners who work in this province from the province of Quebec. What this bill would do—it appears at first blush to be quite harsh in its approach—would be to restrict the ability of Quebec workers to come into Ontario in those three occupations until the Quebec government recognizes that it is a goal of all Canadians

to have free labour mobility right across this country and allows equal access for Ontario workers to work in the province of Quebec. I don't want to be, as a nation builder, establishing walls between our provinces, and that is not the intent of this bill.

This bill, like the government's previous bill, is basically a warning shot to the province of Quebec to say that we can no longer tolerate uneven treatment of labour mobility across this province and that all Canadians must have access to jobs right across this country, regardless of what province they live in. That's the intent of this bill. The bill spells out some penalties that would accrue to workers and companies if Quebec workers in these three occupations were hired. It also gives flexibility to the government through the Lieutenant Governor in Council to, by regulation, set aside different aspects of this bill once it becomes apparent that the Quebec government no longer restricts access to Ontarians working in the province of Quebec in these trades. It tries to complement what the government has previously done in regard to construction but applies it in three very important occupations that are a big part of the economy of northeastern Ontario.

It saddens me that I have to do this again because, since I last brought in this bill, our job opportunities continue to diminish in northeastern Ontario. Right across the north we continue to have tremendous out-migration of workers, particularly our youth. As I think members are aware, about two months ago Statistics Canada brought the stark reality home that I and others have felt anecdotally at home about how we have lost our population by publishing the population declines of northern Ontario over the last five years. They were quite shocking. One of the worst examples is in the community of Kirkland Lake, the largest municipality in my riding, which over the last five years has seen a population decline of 14%.

When I was first elected to the Ontario Legislature in 1985, Kirkland Lake had a population of 14,500. Today the population of Kirkland Lake is 8,600. Kirkland Lake in its glory days of gold mining in the 1920s, 1930s and 1940s had a population of 26,000 at one time. As you know how towns are developed, the infrastructure that supports 26,000 people still remains in place, making it a very expensive challenge for the town council and the mayor there to maintain the infrastructure of that town. As the population continues to decline, we have to fight for every job that we can. We have to look at innovation—and I'm glad the Minister of Enterprise, Opportunity and Innovation is here to hear what is going to be

said about this bill in the House today—but we also have to protect the jobs that we have already and the jobs that naturally occur in our region. Whether we like it or not, northern Ontario traditionally has been dependent upon resource-extraction jobs. The prime employers in north-eastern Ontario are forestry, mining and agriculture. While we wish we had had the industrial revolution post-World War II that southern Ontario enjoyed with the development of the steel mills and the automobile industry, because of our penalty of geography, if you will, we never had that opportunity, and so we remain reliant upon these resource jobs as we try also to move into the new-economy jobs and look at developing call centres and other high-tech opportunities as they may arise.

1010

The jobs we do have we need to protect. More and more over the last five years we have been losing the jobs that should be ours in our industries, based on our resources, to workers from Quebec. As I've said previously, the province of Quebec has put up roadblocks for Ontarians working on their side of the border in similar jobs.

So it becomes necessary, as the government recognized in construction trades, to put a piece of legislation forward, not only to put that restriction there, but to send a signal to the province of Quebec that they have to be serious and sit down with our Ministry of Labour and negotiate a free mobility package between our two provinces.

I know northern New Brunswick, which shares a border with Quebec, also suffers much the same effects of this that we do in northeastern Ontario. They have a very similar problem there. To be fair to all Canadians, all Canadians must have free access into all provinces for job and labour mobility.

To give you a specific example, Noranda Mines owns mines, of course, in Rouyn-Noranda, Quebec, but they also have mines in Timmins and one just north of Kirkland Lake. The Kirkland Lake and Rouyn mines are about 100 kilometres apart. In Rouyn, it would be hard to find an Ontario miner working in that operation. In the Noranda mine in the Harker-Holloway area north of Kirkland Lake, over 50% of the workers are from Quebec. They commute on Highway 101 from Duparquette and Rouyn-Noranda and basically steal our jobs. That is a Quebec-based company that basically operates in Ontario and in Quebec, 100 kilometres apart. In the Quebec operation, there are no Ontario workers. In the Ontario operation, from time to time there are over 50% Quebec workers. Those jobs should be ours. If we can't have access to jobs in Quebec, then Quebecers shouldn't have access to our jobs here.

It is very similar in the forest industry. The two main jobs in forestry are woodcutters and wood haulers. Our wood is hauled out of the bush to our mills. So log hauling happens there. Once the logs are cut into lumber, that lumber is trucked into the United States. Domtar is an owner of a mill at Elk Lake—it's a part ownership; they're two-thirds owners. Domtar is a Quebec-based

company. Recently, they changed their trucking contract to a Quebec-based firm. Twenty-six truck drivers in the New Liskeard area, working for Grant Transport, lost their jobs to this Quebec company.

So part of this is not only restrictions being placed upon worker mobility by the government of Quebec; it's also part of the culture of Quebec-based companies that work in Ontario and insist on hiring subcontractors based in Quebec. This robs us of these job opportunities too. Part of this is also a cultural change that has to happen. This situation is getting worse as more and more Quebec-based companies are taking over Ontario resource jobs. So there are two issues here that need to be addressed.

I'm pleased to stand in my place today to bring this to the attention of the House. As the Minister of Enterprise, Opportunity and Innovation, who is in the House today, would know, Ontario is a fast-growing province. But northern Ontario doesn't share in that economic growth. In fact, our economy is in decline, as reflected in our population statistics.

I think Ontario will not prosper unless all regions of the province share in that growth. That is my personal goal, that northern Ontario share somewhat in the total growth of this province. We need to make sure that all regions of Ontario share in the prosperity this province is developing, so that all Ontarians have an equal opportunity to raise a family, to be able to afford post-secondary education for their children and to have a good life in this province. This is not the case in northern Ontario. We are in rapid decline. I ask this House for support for this bill.

**The Acting Speaker:** Further debate?

**Mr Joseph Spina (Brampton Centre):** I rise today to state why the Legislature and the government have difficulty supporting the passage of Bill 14. I will be sharing my time with the member for Barrie-Simcoe-Bradford and the member for Cambridge, esteemed colleagues all.

I want to begin by stating emphatically that the government is committed to the elimination of interprovincial trade and labour mobility barriers. As a result of some of the problems that have been encountered—and with due respect to the member for Timiskaming-Cochrane, we fully understand the frustration, I think, that he and his local community have with their circumstances—in 1999 we introduced and passed the Fairness is a Two-Way Street Act. This had to do with construction labour mobility, and the legislation had all-party support in this House.

This legislation came after decades of frustration with Quebec's restrictions and barriers in the construction industry, which prevented Ontario construction workers and contractors from working freely in that province. We consulted broadly with workers and contractors in the construction industry in eastern Ontario to determine what would work to level the playing field between the two provinces in that sector. The Fairness is a Two-Way Street Act came as a result of those consultations. Our government's legislation mirrored Quebec's restrictions



on Ontario residents. Now, Quebec workers and contractors who want to work on construction projects in Ontario face similar restrictions to those that Ontario residents face in Quebec.

We did not do this as a quick reaction to Quebec's system. For decades, Ontario negotiated, and we did our level best to try to level the playing field. Only when this did not work did the House pass the legislation, and in May 1999 we designated Quebec under the act. For a while it seemed to work. Quebec came back to the negotiating table, in fact with serious proposals. By November 1999, special negotiators from both provinces came to an agreement to implement new measures of access. We agreed to monitor this access for one year, which was subsequently extended to an additional year, ending November 2001.

Last December we returned again to negotiations with two outstanding issues: first, Ontario contractors were still unable to bid on any construction contracts tendered by Quebec crown corporations, and secondly, Quebec continued to refuse to recognize experienced but uncertified workers who are part of an Ontario contractor's workforce. These workers were able to work in the Hull sub-region only. We ran into a brick wall, simply speaking. Quebec would not move. We had no choice but to redesignate Quebec under the Fairness is a Two-Way Street Act. This designation is now in place and will continue as long as Quebec has in place restrictive barriers against Ontario workers and contractors.

I want to point out that we are merely mirroring Quebec's restrictions. There is no outright ban on Quebec workers. But Bill 14, the bill we are debating today, in fact does the opposite. This bill bluntly proposes to restrict residents of Quebec from working in the mining and forestry industries in Ontario. To that extent, I would be very interested to see how the member for Glengarry-Prescott-Russell votes, because I know he is a strong proponent of fairness and certainly a strong proponent of the people of Quebec.

This bill does not attempt to mirror any restrictions that Ontario workers find in Quebec. It simply prohibits Quebec residents from working in Ontario, period, end of story. It does not try to level the playing field between Ontario and Quebec. Instead, it puts a blanket restriction on workers in that industry from working in Ontario at all.

Our government is committed to the elimination of interprovincial trade and labour mobility barriers. We remain committed to the protection of Ontario workers and the preservation of jobs. We support open and fair labour mobility in all sectors. However, we have strong concerns about Bill 14.

Unlike the Fairness is a Two-Way Street Act, Bill 14 does not attempt to eliminate barriers between the two provinces. It actually enhances those barriers and makes them greater. It does not mirror the restrictions that Quebec puts on Ontario workers in forestry and mining; it creates new barriers by banning Quebec workers entirely from working in Ontario, and will not achieve

fairness in labour mobility and will not level the playing field.

Therefore, while we understand the frustration the member for Timiskaming has with his local economic situation, it is difficult for us to support his bill in this way.

1020

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** C'est avec plaisir que je me joins à mon collègue le député de Timiskaming-Cochrane et que je l'appuie dans les démarches qu'il a entreprises en déposant le projet de loi.

Le Canada est composé de 10 provinces et de trois territoires. Nous savons que le Québec se distingue beaucoup du reste du Canada dans plusieurs domaines, par exemple, l'entente canadienne sur la santé, dont le Québec fait province à part des autres. Jamais n'ont-ils voulu signer l'entente canadienne, entente signée par tous les autres provinces et territoires.

Today it is again a very important issue. I am sad to say that once again we will be talking about this issue in this House. Whether it be in the mining and forestry industry in northern Ontario or about the construction industry all along the Quebec-Ontario border, from Cornwall to Hawkesbury, from Rockland to Arnprior, from Arnprior to Pembroke, from Pembroke to Mattawa, from Mattawa to New Liskeard to Cochrane, the list goes on and on.

Not too long ago, I had a meeting with a group of people from Kapuskasing and Hearst. They were telling me how unfair it is up there in the forestry industry. Loggers from Ontario could not have access to the Quebec side, but Quebec transportation people were able to come in and pick up logs and deliver them to Quebec paper mills. They were telling me that Ontario truckers had to take the logs and dump them at the border so that Quebec truckers could pick them up, but the opposite doesn't work. They come here and pick up our wood with no limitation, with no restriction.

I was talking to a logger just last night, Gilles Mainville, from the Vankleek Hill-Alfred area. He was telling me how unfair it is at the present time in forestry with the Quebec government. Our MNR people had the Larose forest for many years. We were opening contracts, we were asking for submissions for tendering, and all that time Quebec contractors were getting the contracts. Why? It's because, having only a 30-minute drive to go to any of the paper mills in Masson or Thurso, we're getting \$2.80 less per tonne than Quebec contractors were able to get to take the wood to the mill. So we were overbid all the time, because it's the highest bidder who gets the contract from the MNR. Our people could not compete with those Quebec people because it was already unfair when we were delivering the wood to the mills in Thurso or Masson. This is one example.

Again, to go back to the North Bay area, the former Premier's riding, Miller Paving was telling me that there was no way they could compete with the Quebec contractors because they were not adding on the taxes. We

know when it is a contract that the provincial tax is not to be added to the bottom line but has to be incorporated in the tendering. But at no time was the tax added to a contract. We were losing millions and millions of dollars; I said at one time that we were losing as much as \$300 million a year.

I'm going to give you a good example of this unfairness that is going on. On March 9 the former Minister of Labour said, "No Quebec contractors will be allowed to bid on any publicly funded contract." Monsieur Rochon, the Minister of Labour of Quebec, made a statement at a press conference in Hull during that period of time that was on the radio and in the newspapers. He said, "At no time will we ever accept that Ontario contractors bid on a contract in Montreal"—at no time. This is to show you the unfairness that is going on with the Quebec government at the present time.

Black Electric, from Ottawa, was the lowest bidder on the Place du Portage contract in Hull. DPW had an estimate of \$302,000 for a contract. Black Electric has a master licence to work as a contractor in Quebec, but their home office is in Ottawa. Beaudoin Electrical from Quebec had a submission of \$469,000, I believe. Black Electric's was \$292,000. Black Electric did not get the contract because they had an Ontario address. It just shows you how unfair it is at the present time.

I was looking at another issue. Quebec Hydro had to do some work on the Ontario side to stabilize the shore of the river. They opened up the tenders but only Quebec companies were allowed to bid on the contract, even though we had Bertrand Construction from Ontario which specializes in this. They have a gravel pit, they have everything, but their address was in Ontario. It was to work in Ontario, but the contract was given by Hydro-Québec. We could not even do the job on the Ontario side because it was a Hydro-Québec contract. It just shows you again the unfairness we Ontarians are facing with the Quebec government every time. It's too bad that at the present time those Quebec construction workers who work in Ontario are not even allowed to work in Quebec. They have to come and work in Ontario.

At this time of year last year, I did stop a contract in eastern Ontario by a paving company called Bon Asphalte from Saint-Léonard. I told everyone who signed the contract at the time, "Are there any taxes added to it?" They said no. "Who have you made your cheque to?" They made it to cash. I said further, "Are you aware that when you give a contract to a Quebec contractor that is not registered with WSIB, the owner of the property becomes fully responsible if there is an accident on the property?"

My time is up, but I wish I was able to speak for another 20 or 30 minutes on that issue, because I'm fully aware and I think the members of the government across the aisle are fully aware of what this government has done to Ontario construction workers.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to Bill 14, An Act to prohibit Quebec residents from working in certain mining and forestry occupations in Ontario.

The member is really playing local politics here, because that's all it is about: local politics. That's what politics is about. I'll say that since he wants to play local politics, I'll look at the big picture.

When you look at Bill 14 in contrast to what we're trying to accomplish in this country, which is mobility rights for anyone who is a resident of this country to move across any province to work, I think that's the admirable objective we're trying to accomplish. Quite frankly, I don't know how this bill is not in conflict with the Charter of Rights and Freedoms with respect to economic mobility across the country.

Aside from that, when you look at what is trying to be accomplished here, you have to look at it from the point of view of, what would Quebec do in retaliation with respect to this bill in terms of workers from Ontario who may already be working in the province of Quebec? Did the member think that through when he put this piece of legislation together? Certainly there are people who come from other provinces, not just from Ontario, who would work in Quebec. I can't believe it's just that one-sided. I know there are issues with respect to the mining and forestry industries, but when you look at the types of occupations we're dealing with here, mining and forestry are highly skilled occupations. When you say, "We can't bring in these people who are already working here, in terms of these particular professions in the mining and the forestry industry," where are you going to find these highly skilled workers to work in our province? Quite frankly, that's what this country is about in terms of bringing in workers to do the work that's necessary for this country where we have openings. That's part of what makes this country great. But to target one province—certainly we have to work with them if there is a problem in terms of restrictions. I think that's what this government was trying to do when it introduced the Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999. It was in response to barriers that Ontario construction workers and contractors find while trying to work in Quebec.

#### 1030

Obviously, there is a problem that is identified by the member. We have to recognize that in terms of what he feels in the forestry and mining industries. That's something that obviously should be dealt with as we move from one province to the next. We also are neighboured by the province of Manitoba, so is the province of Manitoba to be the next on the list with respect to this particular type of legislation? I don't know why they would be.

What we have to accomplish here is having governments work together. We have to accomplish economic mobility. Certainly there are issues that every province faces, not only with respect to commerce but with respect to other issues that have to work. But to come out and basically say—and when you look at the preamble of the bill, I think it says it all. It says, "The province of Quebec continues to restrict the right of Ontario residents to work in certain occupations in the mining and forestry in-



dustries in Quebec. It is necessary for Ontario to impose similar restrictions until the province of Quebec removes its restrictions." The restrictions are that if you're a Quebec resident, you can't work in Ontario. I don't know what the problems are; the member hasn't really fleshed those out in terms of what Ontario workers are having problems with in the province of Quebec. He's not fleshing that out. He's basically saying, "Let's unilaterally impose a ban on people who are from Quebec." I don't know how blatant you can be with respect to trying to deal with an issue in terms of a person's residency. I think we're above that in this country; but obviously we're not when you want to play local politics, because that's what this is about.

Those are my comments with respect to this legislation. I won't support it. I don't know who's on his hit list next; maybe the province of Manitoba. But frankly, this is not what this country is about or what this government is about.

**Mr James J. Bradley (St Catharines):** I want to commend the member for Timiskaming, Mr Ramsay, for bringing this issue forward, obviously to protect the interests of his constituents. Look, what all of us would like to see happen in any provincial trade circumstance is that there's free trade. What is ironic is that there has been signed a free trade agreement with the United States, and subsequent to that a North American free trade agreement involving the United States, Mexico and Canada. Yet some of the greatest restrictions that we face in terms of trade are interprovincial restrictions.

It seems to me that certainly the member for Prescott-Russell, the member for Timiskaming and other members of the House have made the case that what is fair for one province is fair for the other. I don't think we would see this bill—I know we wouldn't see this bill—before the House if indeed the Quebec government were dealing on a level playing field. If it were being fair to Canadian workers and Canadian businesses, then there would not be a problem. I don't think the member wants to get into yet another aspect of an interprovincial trade war, but he recognizes that the only way you're going to get action from the adjacent government, the present government of Quebec, is to bring forward a bill of this kind in the Legislature that invokes some penalties until such time as the restrictions are removed by the Quebec government on Ontario workers and Ontario businesses.

It's very frustrating if you listen to the members who represent ridings adjacent to the Quebec border, but I've even had calls from people who have called my constituency office who want to do some business in Quebec and said, "I thought the provincial government passed a bill some time ago which would allow me access into the Quebec market, yet I find this is not the case. They are allowed to operate in Ontario; we're not allowed to operate in Quebec."

So I commend the member for bringing forward this bill. I am totally surprised by the reaction of some of the government members to this. Back when it was fashionable to bash Quebec, they were large as life doing so.

Before they brought in their legislation, there were all kinds of questions, trumped-up questions, on the government side about this. Now, when they're asked to follow the leadership of the member for Timiskaming—and there's another part to the riding as well—

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Cochrane.

**Mr Bradley:** —Timiskaming-Cochrane, they don't seem to want to follow it. I support his bill, and I hope other members in the House will as well.

**Mr Peter Kormos (Niagara Centre):** First, let me make it quite clear that I will not be supporting this legislation. Let me explain why, because I want to make it quite clear that I doubt very much if I stand with Conservative members in their opposition to the legislation.

Look, I understand the bill's author's interests in presenting this bill to the Legislature. I wish it had been in the form of, let's say, a resolution, which would have perhaps permitted more members to be more sympathetic to it. I wish as well that it had distinguished between individuals as workers and operators, businesses, individuals operating as businesses or as contractors, because you'll note that quite specifically in section 2 it speaks to "no person," and of course it incorporates that broad definition of "person," including corporate body. "No person"—which includes any working woman or man—"shall work in Ontario as a miner" or a woodcutter. Similarly, it says, "No person"—which means an employer, corporate employer or otherwise—"shall employ ... a person resident in Quebec to work in Ontario as a miner" or as a woodcutter.

Now, the problem is that it imposes penalties for either the worker pursuing work—again, understanding the concerns that the member and some of his residents may have about Quebecers taking their jobs, I find that a regrettable perspective. What this tells people, tells working people—when we're talking about individuals working as miners or as woodcutters, we're not talking about big multinational corporate entities; we're talking about working women and men, just like our working women and men, who are doing their best to support themselves and their families in the situations that best enable them to do it.

Now, the problem is that, were this bill to pass, and were a prosecution to be initiated, the most inept first-year law student would have this turfed out of a court within five minutes. This province's Attorney General, notwithstanding his lacklustre reputation in our courts, would have no trouble defending the prosecution under this legislation, because, you see, the Supreme Court of Canada has already decided the issue. I regret to advise the author of the bill that the issue is moot now.

You see, back in 1989, the Supreme Court of Canada ruled specifically on the application of section 6 of the Canadian Charter of Rights and Freedoms. It's not new law; it's old law. It has been around for a significant period of time. The court couldn't have been more clear. The court couldn't have been more specific about what section 6 of the charter means, because there were some

who would have argued, as was undoubtedly argued prior to the Supreme Court of Canada decision in 1989, that paragraphs (a) and (b) of subsection 6(2) of the charter are to be interpreted conjunctively; I think that's the word lawyers use.

1040

Look, understand what section 6 of the charter says with respect to mobility rights, and in particular subsection (2), which is what's relevant here:

"Every citizen of Canada and every person who has the status of a permanent resident has the right

"(a) to move and take up residence in any province; and

"(b) to pursue the gaining of a livelihood in any province."

The words are pretty unequivocal. I suppose at the end of the day you either believe in the Charter of Rights and Freedoms or you don't. There are learned arguments that continue against the adoption of a Charter of Rights. Among others is the fact that the Charter of Rights constrains or restricts the ability of a Legislature, be it a provincial Legislature or the federal Parliament, to enact laws. That's exactly the point. It's supposed to. That's why most Canadians—I among them—endorse and embrace and applaud the Charter of Rights and Freedoms. It quite clearly says to legislators that there are certain things you simply cannot legislate.

Regrettably there's a non obstante clause, and I'm not suspecting that the author of the bill proposes utilization of that in the act, although I'm concerned about how the enactment of a non obstante clause when you're dealing with interprovincial rights, specifically with section 6, would be responded to as compared to rights within the jurisdiction alone. Do you understand what I'm saying?

Let me tell you what happened in 1989 in the Supreme Court of Canada. It's the decision of *Black v. the Law Society of Alberta*. The Supreme Court effectively said that section 6, the mobility rights provision of the charter, "extends to citizens and permanent residents alike"—we understand that from reading the first part of subsection (2)—"the right to reside wherever one wishes in the country and to pursue the gaining of a livelihood without regard for provincial boundaries. Like other individual rights guaranteed by the charter, it must be interpreted generously...." The Supreme Court of Canada made very clear that the interpretation has to be a generous one, because undoubtedly the argument had been made—it was that restrictive argument, the conjunctive consideration of paragraphs (a) and (b). It must be interpreted generously "to achieve its purpose: to provide the right of citizens or permanent residents to move about the country, to reside where they wish and to pursue their livelihood," to work as miners, woodcutters, lawyers, waitresses, steelworkers, farm workers, what have you.

"While the provinces may regulate these rights"—which is the case, for instance, of lawyers; in other words, you can't practise law in another province unless you comply with the standards of that province—"they may not do so, subject to the exceptions in this section

and sections 1, in terms of provincial boundaries." I don't believe the author of the bill is suggesting that section 1 provides an opening or an opportunity.

**Mr Rob Sampson (Mississauga Centre):** You can ask him right now.

**Mr Kormos:** Maybe Mr Sampson will have the presence of mind to rise in this debate and participate, and he can put the question to the author of the bill.

**Mr Sampson:** You're standing already. Why don't you ask him?

**Mr Kormos:** See the decision of the Supreme Court of Canada, Mr Sampson. I want to share this with you. I want you to understand it as well as you're capable of understanding it.

**Mr Sampson:** I'll do my best.

**Mr Kormos:** Mr Sampson is doing his best.

**Mr Sampson:** I'll try to exceed your level, Peter, and it won't be that much of a challenge.

**Mr Kormos:** "Section 6(2)(b) guarantees not simply the right to pursue a livelihood, but the right to pursue the livelihood of choice to the extent and subject to the same conditions as residents," to wit, residents of that province.

"The right to pursue the livelihood of choice must remain a viable right and cannot be rendered practically ineffective and illusory by provincial regulation. The right to pursue the gaining of a livelihood in the province does not"—this is critical—"depend on physical movement of the individual to the province. A person can pursue a living in a province without being there personally." And the single most important observation about that judgment by the Supreme Court of Canada is that, "This section"—section 6 of the charter on mobility rights—"guarantees the right to offer one's services anywhere in Canada regardless of one's place of residence."

**Mr Mike Colle (Eglinton-Lawrence):** Including Quebec? Why doesn't it apply to Quebec?

**Mr Kormos:** The end of the story.

**Mr Colle:** How do they get away with it?

**Mr Kormos:** Mr Colle asks why it doesn't apply to Quebec. Look, I'm talking about our responsibilities as a Legislature, and I'm talking about the distinction between provincial regulations governing certain standards and the need to harmonize those regulations. I have no quarrel with that. Again, that issue was addressed around the area of construction trades and building trades. But unfortunately, you can't tell individuals that they have to live in the province in which they're working. You can tell them that they have to comply with the standards of that province if they're doing something that's regulated, but you can't tell them that they have to live here.

I don't quarrel with the author of the bill's observation that more Quebecers work in Ontario up in the northeast than Ontarians work in Quebec, although I am advised that there are Ontarians who work in Quebec. There's no suggestion that there are no Ontarians working in Quebec. So I put to him, with this bill, is he not contrary to the charter? I hope he's not inviting some sort of



retaliation on the part of Quebec to, for instance, similarly forbid those Ontarians who work in Quebec. I am told when I talk to people from the Ottawa-Hull area that there are a whole lot of people who live in Hull, Quebec, who work in Ottawa, but I'm also told that there are a whole lot of people in Ottawa who work in Hull.

**Interjections:** They work for the feds.

**Mr Kormos:** I'm told there are a whole lot of people who live in Ottawa who work in Hull. We've got to live with that. So I'm not going to be supporting the bill.

The other observation that has to be made is that we shouldn't be in the business of pitting worker against worker. Workers' enemies aren't workers from other provinces. Workers' enemies are this government that has created an anti-union agenda. Workers' enemies are this government that has refused to raise the minimum wage. Workers' enemies are multinational corporations that participate in the drive toward lower and lower wages. Workers' enemies are those who would undermine the role of trade unions and undermine the right of workers to organize themselves into trade unions and freely, collectively bargain. Workers' enemies are governments that permit scabs to take their jobs, not other workers. Workers' enemies are pro-scab governments like the Harris and Eves government here at Queen's Park. I'm not interested in participating in an exercise that pits worker against worker.

Workers have achieved every right that they've struggled for by standing together in solidarity, whether it be multi-provincially or whether it be internationally. I quite frankly want to encourage this Legislature to support the need for workers to be in solidarity with each other. I want to encourage this Legislature to join in the fight against the corporate exploitation of workers, against a government that would undermine occupational health and safety legislation. Workers are being killed, maimed, diseased, slaughtered on a daily basis in this province as a result of this government's abandonment of workers' interests and right to have some control over safety in the workplace, by the Harris-Eves government's abandonment of workplace inspection, and permitting Ministry of Labour officials, the few that are left, to inspect unsafe work conditions and right to refuse unsafe work by virtue of mere phone calls, inevitably to bosses.

1050

So our exercise shouldn't be to pit worker against worker. Our exercise shouldn't be to deprive workers of their right to earn a living in an already difficult context. Our exercise should be to attack governments like this government for its anti-worker agenda. Our exercise should be to encourage workers to join and participate in their trade unions and to work together in solidarity, be it from one province to the other or from one country to another, to achieve the justice that workers have achieved over the course of generations and decades of struggle.

We will not be supporting this legislation. We understand the motivation for it. It's contrary to the charter, and at the end of the day, it's not really in workers' interests.

**Mr Gerry Martiniuk (Cambridge):** I know the member for Timiskaming-Cochrane has good intentions in introducing Bill 14. His heart is certainly in the right place. He shares with me a long-time concern that Quebec takes unfair advantage in its relationship with Ontario and, for that matter, other provinces in Canada. I am pleased to see him breaking with the slavish devotion that his leader, Mr McGuinty, shows toward the federal Liberals in this regard.

However, I do consider Mr Ramsay's bill radical and draconian. It seems to me he's trying to kill a mosquito with a sledgehammer. It reminds me of the United States's mindless approach to protectionism, personified by their new agriculture and lumber policies. This bill also may result in unintended consequences that have not been considered.

First, I suggest that industry does not support the proposed legislation; that includes both businesses and workers. Ontario's mining industry historically has relied on open labour mobility, both nationally and internationally, to remain competitive. There are many skilled jobs that require specialized knowledge which may be found in workers outside of Ontario. With this legislation, if a specific skilled worker happens to reside in Quebec, he or she would not be able to work for an Ontario mine even though that skill may not be available here.

As well, some Ontario mining companies currently operate both in Ontario and Quebec. These companies often rely on shifting workers between operations and regions for practical and competitive reasons. Bill 14 would punish these companies, preventing them from conducting their operations in a way they have for years, and would challenge their ability to compete in the international market.

The forestry industry also relies on similar open mobility between Ontario and Quebec. Why, I ask members of this House, would the Ontario Legislature clamp down on these industries and prevent them from conducting their business in the way they now do? This will not help Ontario's competitiveness and certainly will not preserve jobs for hard-working Ontarians. Instead, it may indeed cause jobs to be lost, jobs of Ontario workers working in Quebec.

Consider how Quebec may react to this legislation. Bill 14 could cause a massive retaliation. Quebec could prohibit Ontario workers from working in those industries in Quebec, hurting Ontario families. As a result of Bill 14, trade and mobility between our provinces would suffer. This would lead to an unstable situation, tipping the playing field first one way and then the other.

The Ernie Eves government supports fairness and the protection of Ontario workers and their jobs. This bill does not solve the problem; it only creates new ones. For this reason, I cannot support Bill 14.

**The Acting Speaker:** Further debate? The chair recognizes the member for Prince Edward-Hastings.

**Mrs Dombrowsky:** I'm very pleased to have the opportunity to speak to the bill that my colleague from Timiskaming-Cochrane has brought to the floor of the

Legislature this morning. I certainly admire his courage in presenting an issue to protect the people of Ontario.

I've listened very carefully to the debate here this morning and the lectures about what our role and responsibility here is, our responsibilities as legislators. I would suggest to you that we have a responsibility to be advocates for the people of Ontario. What my colleague Mr Ramsay is trying to bring to the floor is the fact that there are people in Ontario who are not being treated fairly and something has to be done about it. This is a very important issue within the labour sector in Ontario. This is one part of the labour sector. We've heard the former Minister of Labour, now the new Minister of Environment and Energy, speak to the issue of the government's Fairness is a Two-Way Street Act, which refers only to MUSH sector jobs, contract jobs.

I have another labour issue in my own riding that is somewhat related to this where there is a cement plant, Lafarge Canada, and there's a strike there. The tradespeople in that situation have been on strike since December 13, 2001, out of work, walking the line. What the company has done is import scabs from the province of Quebec. These good men and women who have built the company and brought it the success it has enjoyed most recently are now victimized and the collective bargaining process, in my opinion, has been hijacked. We have a responsibility as legislators to advocate, to stand up and say, "This is wrong," because those same tradespeople who are walking a line in Ontario today could not walk across the border to the province of Quebec and gain employment there in a similar situation.

**Mr Colle:** It's a double standard.

**Mrs Dombrowsky:** There is a double standard here. My colleague has recognized in his community another example where there are labour issues where people in our province have no advantage; where people from another province do have an advantage; where our workers, our trained people, can't gain employment across the border but their trained people can gain employment in Ontario. The member of the government has suggested that this type of legislation could cost jobs within our community. I think my colleague from Timiskaming-Cochrane had demonstrated, when you talk about the population of the community of Kirkland Lake, that that has cost thousands of jobs if you consider the numbers by which the population has declined in his community.

Again, I admire and support this legislation. I admire my colleague because he has chosen a very radical way to advocate for workers in Ontario, and I'm very prepared to support any kind of initiative that advocates and puts Ontario people on the same playing field as everyone else in Canada.

**The Acting Speaker:** My apologies; the only thing I had right about your riding was the "Hastings" and I did not include the proper part of "Frontenac-Lennox and Addington."

The member for Timiskaming-Cochrane has two minutes to reply.

**Mr Ramsay:** I appreciate all the members who participated in the debate today. I'd like to point out that the last time this bill was debated in the House was on November 2, 2000, and at that time it did pass second reading. We'll have to see how the vote goes at noon hour today. In fact, I was just looking at some of the past speeches, and at that time the member from Welland-Thorold waxed eloquent in support of the bill. Of course, the only thing that has changed on this bill is the date, to bring it up to date.

I'd just like to say to the members of the House that in my heart this is not the type of action I would really like to take. But as has been expressed by other members of the House and myself, what I'm looking for is a fair, level playing field so that workers in northwestern Quebec and northeastern Ontario could work together, could work in either province in similar jobs and compete for those jobs as individuals without having the Quebec government basically tilt the playing field in the favour of Quebec workers. The member for Cambridge had said that this was maybe using a sledgehammer to defeat a mosquito. He would have to live in my area to understand that the hundreds and hundreds of Quebec workers who are displacing our workers really have had a devastating and profound impact on the economy of northeastern Ontario and, similarly, on all of northern Ontario.

It is time that somebody stood up for the workers of northeastern Ontario. This act does that. It's time somebody stood up to the government of Quebec, which doesn't want to play by the rules that the member from Welland-Thorold talks about.

I believe in free labour mobility right across this province. What I want to do is propose this bill as a wake-up call to both the Ontario Ministry of Labour and the province of Quebec to say that workers in this country need fair opportunity to work anywhere in this county, and that Ontario workers should have the right to work in Quebec as Quebec workers do in Ontario. It's time we stood up for the workers of northeastern Ontario.

1100

## ELECTRICITY AMENDMENT ACT (CONSUMER PROTECTION), 2002

### LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (PROTECTION DU CONSOMMATEUR)

Mr Hampton moved second reading of the following bill:

Bill 55, An Act to amend the Electricity Act, 1998 to protect consumers / Projet de loi 55, Loi modifiant la Loi de 1998 sur l'électricité afin de protéger les consommateurs.

**The Acting Speaker (Mr Bert Johnson):** According to standing order 96, the member has 10 minutes to make a presentation.

**Mr Howard Hampton (Kenora-Rainy River):** This is an amendment to the Electricity Act which I believe



the experience on the doorstep out there tells us all is badly needed. What's happening on the doorsteps across this province is electricity consumers are in some cases being misled; in other cases, electricity consumers are being lied to. We also have evidence of electricity consumers having their signatures forged on contracts. Also, we have reports of time after time where electricity consumers are subjected to the most unfair, unprincipled high-pressure sales techniques. I don't think anyone could defend this kind of behaviour.

We're really talking about a fairness issue here: people on their doorsteps being confronted by so-called retail electricity salespersons who are not honest, who are not providing complete information, in some cases are providing absolutely misleading information and in other cases are just outright lying to people, and finally, in the worst of all cases, signatures have been forged. We have to do something in this Legislature to protect consumers across the province from this very unfair situation.

What will the act do? The first thing it will do is allow the consumer to avoid an electricity retail sales contract at any time by giving the seller 15 days' written notice of the fact that the consumer will cease to be bound by the contract. We're essentially saying to all those people out there who have been lied to or manipulated or, in some cases, deceived by misleading information, "You now have a remedy. You can avoid the contract." I would suggest that this would go a long way toward righting some of the wrongs that have happened to a number of consumers.

The second thing it would do is that a contract for the sale of electricity that's made between a consumer and a person other than a distributor before the day the Electricity Amendment Act, 2002, comes into force is of course voidable and new contracts simply would not be allowed.

Why do I think this ought to be the case? Let's look at it. These electricity retailers out there don't generate electricity, they don't transmit electricity, they don't distribute electricity. They don't do anything meaningful or necessary in the process of bringing electricity from generating stations to people so they can use it in their homes or in their businesses. All they do is engage in a game of speculation and fear. That's all they do.

Just to give you an example of some of the things that are happening, most people in this province know what they pay on a per-kilowatt-hour basis for generation, transmission and distribution. They get that information on their bill. These door-to-door sales rip-off artists go to people and they compare the price of generation to that all-in price without letting someone know that in fact they are comparing apples to oranges. They say to people, "Here's what you're paying now, but we would give you this deal." In fact, because all they are talking about is the price of generating electricity—they're not including the price of transmission, they're not including the price of distribution, and they're not including the debt retirement charge of the bill—people are being misled.

As it stands now, roughly, across the province most people are paying a generation price in the neighbourhood of 4.3 cents. The independent marketer will say, "On some days it's been down to 3.8; other days it's been higher than that." But the Ontario Energy Board put out figures that said, "We're looking generally at a price of 4.3." Many of the consumers who are having these door-to-door rip-off artists on their doorstep in fact have unknowingly signed contracts where they're going to be paying 6 cents—not the 4.3, but 6; in other words, literally 50% more than they should be paying. They're not going to discover this until they get their June or July electricity bill, and then they're going to discover, "Holy smokes, am I ever being taken to the cleaners."

The other thing that is so objectionable about this is the misrepresentation that's happening out there. Right now in my constituency there are people who are going door to door wearing Ontario Hydro jackets and representing themselves as Ontario Hydro Energy and trying to say to people, "If you sign a contract with us, you'll be dealing with the trade name Ontario Hydro," which has been around in Ontario, as you know, Speaker, for almost 100 years. It's one of the best trade names in electricity that you could find virtually on the continent. So people are signing. In fact, when they sign these contracts, they are not signing with an Ontario Hydro entity; they're signing with a private organization which is misrepresenting itself. If they read the fine print in the contract, they'll discover that they are paying 6 cents a kilowatt hour, not 3.8 or 4.3. In other words, they're paying a much higher price. If they read other fine print, they'll find that any rebate that might be due to electricity consumers, they have automatically signed over to this rip-off company that is misrepresenting itself.

We cannot allow this to happen. As members of the Legislature, we have to stand up and we have to say, "Look, this is wrong." People deserve full knowledge. They deserve to know exactly what they're buying. They deserve to be able to compare apples to apples, not apples to oranges. But none of that is happening.

Why isn't it happening? First of all, because the government has allowed this kind of misrepresentation to happen. The government has allowed these kinds of door-to-door marketers to get out there and sell on the basis not of true comparisons—apples to apples or oranges to oranges—but on the basis of totally invalid and very misleading information. We as legislators should step in and rectify that situation. People who have signed on the dotted line with these very misleading door-to-door sales representatives have signed contracts which, if they had had access to all of the knowledge, they never would have signed. They would have said, "Get away from my doorstep. This is a rip-off."

So consumers have been kept in the dark on this issue. The government will say, "Oh, but this is for the Ontario Energy Board to rectify." Well, the Ontario Energy Board doesn't have an enforcement and investigation arm in the sense that they can send investigators out there and

do the kind of door-to-door investigation that needs to take place. They simply don't have that.

1110

So to fob it off on the Ontario Energy Board is just completely unrealistic. The Ontario Energy Board does not have the capacity to be a consumer protection agency. It doesn't have the personnel, it doesn't have the expertise, it doesn't have the resources to do that. The government ought to know because in fact in its legislation it created the Ontario Energy Board in this context and didn't give it the investigation capacity, the enforcement capacity or the resources to send door-to-door investigators out there. So the Ontario Energy Board is completely unequipped to do this.

We need to do it here in the Legislature. We need to give people the capacity to void contracts that have been signed on the basis of forgery, on the basis of misleading information, on the basis of high-pressure sales contracts and, moreover, we need to say that electricity retailing, since it doesn't add anything—it doesn't generate electricity, it doesn't transmit, it doesn't distribute; it merely engages in a game of speculation and fearmongering—we should prohibit it.

I want to use the remaining time to say to constituents in my own constituency that these people who are coming to your door wearing Ontario Hydro jackets or something that identifies them with Ontario Hydro, don't sign their contracts. These people have nothing to do with Ontario Hydro or any entity associated with it.

**The Acting Speaker:** The member's time has expired. Further debate.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm really pleased to join in the debate this morning with respect to the member's bill, which is An Act to amend the Electricity Act, 1998 to protect consumers. One of the government's main principles in opening Ontario's electricity market to competition has always been to ensure that consumers are protected. We introduced competition to fix the problems of the past and to safeguard our future supply of electricity.

In my riding of Barrie-Simcoe-Bradford, the source to get your electricity is either Barrie Hydro in the city of Barrie or the Bradford-West Gwillimbury or Innisfil hydro, which is in the town of Innisfil. Quite frankly, those organizations have been in existence for many years, and the practices that they are involved in are certainly without compromise. There's nothing to suggest that the existing retailers or utility companies that are out there don't act above board.

The member's concerns are people who have been lied to, where there has been forgery, people not having full knowledge of what is happening with respect to their choice of electricity, not unlike dealing with the consumer practices that go on with long-distance telephone, also dealing with purchasing your gas, just to name a few.

The government will not compromise the gains that Ontario electricity customers began to see on May 1. We won't allow vulnerable customers and seniors to be

manipulated by unscrupulous retailers, nor will we stand by and watch marketers engage in unfair practices or use false, misleading or deceptive advertising. Our government has moved to protect electricity consumers by putting in place tough laws for energy retailers which require them to operate fairly and honestly. We have provided the Ontario Energy Board with the tools it needs to oversee the retailing practices of marketers and deal with those engaging in questionable practices.

For example, as a condition of their Ontario Energy Board licence, all retailers must follow the electricity retailer code of conduct that establishes guidelines and standards. The code requires retail sales people to carry photo identification when retailing door-to-door, to indicate that they don't represent a distribution utility, to clearly state the price and other terms and to provide a clearly printed contract. As well, retailers must give a customer ample time to understand an offer without pressure or harassment. No customer is required to show their electricity bill or any other information to a retailer unless they decide to sign a contract with that retailer. Electricity retailers are subject to the same consumer protection laws as other sellers in the province under the Consumer Protection Act. Direct sales contracts must include a buyer's right-to-cancel statement in not less than 12-point type, which is a readable size of printed type. It is much larger than so-called "fine print." If there are problems, the Ontario Energy Board, headed by Floyd Laughren, the former Minister of Finance under the NDP when they were in government, has the authority to levy financial penalties against a retailer or revoke or suspend its licence.

In fact, the Ontario Energy Board has a zero tolerance for anyone engaging in questionable marketing practices. This was demonstrated on April 25 of this year when the Ontario Energy Board's director of licensing levied significant fines on two electricity retailers for violations of the code of conduct. Also, on May 17 of this year, the Ontario Energy Board's director of licensing issued a bulletin to all gas and electricity retailers on enhancing consumer awareness and explaining procedures to deal with fraud and misrepresentation, which is essentially what the member opposite wants to be dealt with in terms of giving consumers a proper choice with full knowledge, and to deal with misrepresentation.

The energy board maintains a log of public complaints on retailers as well as details on the nature of the complaint. Ontario Energy Board licensing staff investigate those complaints and work with the companies involved.

The NDP bill that has been tabled today is just not necessary. It seeks to undo the decisions of thousands of Ontario electricity customers who have made a choice. It is telling people that Howard Hampton is in a better position to watch their wallet than they are.

Thousands of customers have chosen their electricity supplier based on the price and service that best meet their needs. That is the kind of decision all of us make when we renew our mortgages. That's the type of decision that all of us make when we go out and rent a



car or we decide to buy anything from a retailer. There is an obligation obviously on the consumer to make sure they know what they're getting. But at the same time, there are laws in place under the Consumer Protection Act, and through the Ontario Energy Board when you're dealing with electricity, to protect the consumer. It is the kind of decision every Ontario electricity customer is capable of making for himself or herself without the help of the NDP or anyone else in this chamber.

Consumer protection is not about taking away choice; it's about providing choice in a strongly regulated competitive market.

**Mr Michael Bryant (St Paul's):** Dalton McGuinty and Ontario Liberals support protection for electricity consumers. We have not been talking about that just today; we have been talking about that for months and months. In February of this year, Dalton McGuinty introduced a consumer protection plan. In that plan, Ontario Liberals called on the Ontario Energy Board to cancel contracts signed because of unfair sales pitches. To some extent, there has been an attempt to address that evil in this bill.

Dalton McGuinty called on the Ontario Energy Board to fine and suspend the licences of electricity retailers using unfair practices and to place a moratorium on all further selling until consumers are given a clear cost of electricity on their electricity bills so that they can make "apples to apples" comparisons when looking at the bills in question. The moratorium would stay in place until the Ontario Energy Board had provided a standard contract to be used by electricity retailers, eliminating the small print and making matters more clear.

Some of those principles I believe are embodied in this bill; and I have to guess that, because it's a very short bill. I also have to guess it because it's a very short bill that's been provided on very short notice. I received a copy of it yesterday afternoon, I guess, when he introduced it in the Legislature. We have not had time to determine whether or not phrases such as "The consumer is entitled to avoid a contract" in fact are making reference to a previous subsection where he wants to "void" a contract. There's a pretty big difference in law between "voiding" and "avoiding"—a "voidable" contract. Needless to say, it's something that we need to be looking at and would need to look at at the committee stage.

Let me say, in principle, Ontario Liberals are going to support any measure that attempts to protect consumers. But at the committee stage we will be, I say to Mr Hampton, submitting many, many amendments to cover off the many other areas where consumers are being ripped off and to deal with some of the problems in the bill that I want to speak to right now.

1120

The leader of the third party says that in fact what is going on with respect to selling electricity at the door involves a game of speculation and fear. I think everybody in this House knows, because they've received constituency calls, that consumers are being ripped off.

There's no doubt about it. One guess is that thousands of contracts were entered into where the consumers didn't really know what they were signing.

There is a process in place, however inadequate, to address that situation. A consumer who has grave concerns can contact the Ontario Energy Board. There's a problem, because they may find themselves on hold. The lines are busy, more often than not. It's difficult to get through. But there is a process by which a contract could be addressed, if it in fact was unfair. It could be voided and someone could be fined. We do have a process. It's not good enough. It's not nearly good enough. We need the McGuinty consumer protection plan, at the very least.

This bill, I fear, may have an intentional, perhaps an inadvertent, effect. I'll let the leader of the third party address this charge. By wiping out the retail market, would we not be creating even greater electricity volatility in the province of Ontario? Would the leader of the third party, through this bill, either intentionally or inadvertently end up causing his very own perfect storm that he claims he doesn't want to have in the province of Ontario?

Why? You wipe out the retail part of the market. Number one, the volatility that follows is something we simply could not predict right now. Number two, there's nothing in this bill that protects the province of Ontario from the enormous exposure, the liabilities, that will follow. About a million contracts have been signed through the retail arm. About a quarter of the province, a quarter of Ontarians, have engaged in retail contracts. If all those people cancel all their contracts—and under this bill, they are the ones who decide. "We cancel the contract; 15 days' notice. I may have known what I was signing, I may like my contract, it may be fair, but Jeez, everybody's cancelling their contracts. Maybe I should too." I don't think that's responsible.

I think it is irresponsible what this government did in permitting the kind of door-to-door activity that it did and not policing it. But I think that wiping out the retail arm willy-nilly, dramatically affecting the volatility of our electricity market, exposing the province of Ontario to enormous liabilities, in fact is going to result in a situation which is worse. So clearly, this bill needs some major changes.

*Interjection.*

**Mr Bryant:** I hear some heckles. I don't even think the member understands a thing I'm saying.

**Mr Wayne Wetlaufer (Kitchener Centre):** You're the one who doesn't understand what you're talking about.

**Mr Bryant:** Right now I'm being critical of the bill that you're critical of, so in fact, we're in agreement. But that's probably beyond you right now.

Before I share my time with the member for Renfrew-Nipissing-Pembroke, let me say in closing that what this government has done is engaged in a billion-dollar botch-up of electricity reform, electricity reform that in 1997 all three parties agreed was necessary. We didn't agree on

exactly how it would take place, but we knew that it had to.

In that first stage of electricity reform, people got to sign contracts. It was the government's job to look after the public interest, to look after those people. That didn't happen. Yet it is that same body and that same government that is supposed to be policing our electricity market. We do not have great confidence right now. When you throw into the mix the botched-up, illegal attempted sale of Hydro One, you have an enormously unstable market, not one in which we are going to get people to come into Ontario, make made-in-Ontario power for Ontarians, to end the situation where we are a net importer of electricity.

The government's billion-dollar botch-up must be fixed. I'm not sure if this is the way we're going to fix it, but I will support in principle a bill that attempts to help consumers in Ontario.

**Mr John O'Toole (Durham):** I will probably be sharing the remainder of my time with Mr Gilchrist from Scarborough.

To start on the positive side, I just want to put on the record, with respect to the leader of the New Democratic Party, that I really respect the fact that he has been a champion in the whole debate of this right from the very beginning. Whether or not he was right, at least I knew where he was coming from.

This bill was obviously put together hastily. It's very small, one page. For the TV here, I could read the preamble to you. It really doesn't solve very much. In fact, the member from Barrie-Simcoe-Bradford—the beautiful member—actually said it all: it's really quite unnecessary. But it is a statement in time, and I understand the purpose and the politics of it all. He's trying to further state his strong advocacy for keeping the old Ontario Hydro as it is. Our side here is that it's clear from the Macdonald commission and every other independent—including the power workers—that the current model doesn't work. Primarily, he's saying a couple of things with respect to the right to sell.

Again, the member from Barrie-Simcoe-Bradford, a very respected and highly trained lawyer, which I'm not, which is probably a positive for me, is sort of saying that, "No person other than a distributor shall sell or offer to sell electricity to a consumer." In my case, what has happened is that in my riding of Durham there's Scugog, Oshawa and Clarington. Oshawa has a very successful local utility company, and the sole owner of that is of course the city of Oshawa—the Municipal Electric Association, now replaced by the Ontario Energy Association; that's their name. The remainder—Ajax, Pickering and Clarington—formed a conglomerate, if you will, of three previous local municipal electrical associations under the name of Veridian. Veridian is the first one to form a private company which was under the original restructuring bill by the government and is very successful. The principal shareholders are of course the municipal levels. They have a retail arm agreement with Mississauga Hydro—I forget the name; it's Hydro Energy or what-

ever it's called. They do the retailing, the actual selling to the consumers.

I don't think it's correct to suggest in this bill that they're the wrong people to do that. But I do agree that it's important to correct on the record that we want to protect consumers. I refer right back to the base record here, our throne speech, seizing tomorrow's opportunities, or whatever it was called. It has four important objectives:

"First, it will ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace." We have to realize that this is the reality.

"Second, it will ensure that the necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario."

The third commitment by Premier Ernie Eves: "It will bring market discipline to Hydro One," something that clearly isn't there, "the province's transmission company—and prevent any possibility of the recurrence of staggering debts, such as the ... \$38-billion debt, while eliminating it."

"And fourth"—this is very important—"it will achieve these goals while protecting consumers."

It goes on to say, "Your government believes the people of Ontario should have a voice in the future direction of one of Ontario's most important resources." I couldn't agree more. "Your government has the courage to listen, the willingness to consult and the ability to take the right course of action in the interest of all Ontarians."

There it is in writing. It's a complete commitment that really makes redundant Mr Hampton's small, rather timely private member's bill.

I say in conclusion, though, that the real issue here on the unscrupulous activities that I've heard about and the Ontario Energy Board under the "capable leadership" of Floyd Laughren, the previous New Democratic Party Treasurer of Ontario, who ran up \$11 billion in debt—a capable person. But he is running that now and he basically, I think, is a good, honest spokesperson. I believe we should strengthen the role and powers of the Ontario Energy Board to penalize these unscrupulous practices, and that's the message I hear from our Minister of Environment and Energy, Mr Stockwell, as well as our Premier. I'm confident that this bill, although it speaks to an important issue, is completely unnecessary and probably I will not be supporting it. I do want to save some time for the member from Scarborough East. Thank you for the opportunity to speak.

1130

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to rise to address the bill before the House standing in the name of the member from Kenora. Let me say, as someone who sat in a committee four years ago when the Legislature was dealing with the whole issue of change in the electricity policy—and the member for Durham, who just spoke, was there, I think, for this testimony—I remember distinctly several witnesses, but



most importantly the representatives from the Consumers' Association, telling that legislative committee dealing with the then Bill 35, an act to change electricity policy in Ontario, "If you as a government and Legislature are going to proceed with what is known as retail competition, you must do two things. First and foremost, you must educate in a significant, ongoing way the broad base of retail customers, who will not understand this very difficult and in some cases impenetrable new world without the help of good, user-friendly public information." And we were told, particularly by the Consumers' Association, that must be done at the beginning. Secondly, we were told, "You can only proceed with this kind of retail competition if you have a very tough-minded regulator who's going to act in the public interest to protect electricity customers from what we can predict will be some unscrupulous behaviour."

There was virtually nothing done, until very recently, by either the government or the energy board to inform consumers. My colleague Mr Bryant a moment ago outlined what Dalton McGuinty and the Ontario Liberal Party have advocated for some time now. I want to make the point that at this juncture we have about a million retail contracts that have been entered into. My guess is that at least 20% are grade A stinkers, and that means that there are hundreds of thousands of electricity consumers, many of them older people, who have been ripped off; and many of these people have been ripped off by our own company, Hydro One. I had a meeting some weeks ago in the village of Beachburg in my constituency and I had three elderly women tell me about what happened on their street, with agents of Hydro One walking in at dusk waving scissors, grabbing Hydro bills out of their hands, cutting them up and walking out the door. That's just one of several examples.

Those people, many of them, are not going to understand what happened to them until some time in mid to late June or July of this year. In that case it was our company, Hydro One. My own father signed a contract some months ago—after I told him quite frankly to be careful; yes, it's true. But do you know one of the reasons he signed? Because the person who came to him was from Ontario Hydro One and he thought that by signing with that company he was making a good deal. Nobody told him, least of all Hydro One, that he would be one of nearly 200,000 customers who signed up with Hydro One only to have their entire business sold away at the eve of market opening in late April of this spring to Union Energy, a wholly-owned subsidiary of Epcor of Edmonton, Alberta. That's just another example of how Ontario consumers were scammed and ripped off by, in this case, our own company. And there will be a political whirlwind, make no mistake about it. We are just weeks away from tens of thousands of Ontario customers mad as hell at what was done to them.

My colleague from Glengarry is just arriving. He's got a great story to tell about how he was the victim of what looks like a pure forgery.

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** Let's hear from your colleague.

**Mr Conway:** He may speak at some point. The minister of economic development trivializes this. Well, let's talk about this.

*Interjections.*

**Mr Conway:** I just want to say to my colleagues in this Legislature, mark my words: four to six weeks from now, your constituency offices are going to be doing little else than explaining to people these electricity bills. We failed miserably to protect people in a fair and sensible way. We were warned by a number of knowledgeable witnesses.

I see just this week that the Ontario Energy Board has published a new bulletin. I give them some credit: they now seem to be alive to the problems in the marketplace. Forgery, apparently, is now an issue of which they are seized. It is too late for hundreds of thousands of people. We talk about protecting the consumer; we haven't done nearly enough. It's a failure of public responsibility by this government, including the minister of economic development. As I say, one of the worst offenders is our own company.

Let me just add this: for the new electricity order to work, we have to have a very effective regulator. For months now, in fact for years now, there have been complaints. They've been all over the consumer columns in the Ontario press. They've been reported to members on both sides of the House. The regulator has been very, very slow to action. I've spoken to Mr Laughren about this, and there is no question that the early going in this electricity business gives me great concern about just how effective our regulator is, not just in the easy part of this—regulating this kind of retail misconduct—but what the regulator's power is really going to be when they have to get at the really complicated stuff that we've seen, particularly in the United States.

I do want to give my friend Mr Lalonde the last 48 seconds.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I should be able to defend myself. Yes, someone has forged my signature not only once, but twice. It's in the detectives' hands at the present time. But in Alexandria, people walked in on the Quesnel family. This company, which is called Ontario Energy Savings Corp, should have its licence withdrawn. I'm told they are liars, they are robbers, and the OEB should withdraw their licence immediately. The Quesnel family was told, "If you don't sign in 20 minutes, we are cutting your power off tomorrow." This is the approach that these retailers are taking with the people.

**The Acting Speaker:** The member's time has expired. Further debate.

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to have a couple of minutes to respond to the bill before us here today, a bill that would seek to return us to the days of ballooning debt, out-of-control bureaucracies, wasteful construction practices, \$38 billion in accumu-

ated debt, no consumer choice. That's precisely the world that the NDP would have us go back to.

This bill was very hastily put together. I could criticize it on any number of legal bases as well. The very language in there is quite improper in a number of cases. But let me object more to the principle. While I am very sympathetic to the member from Glengarry and the comments he has just made, that is precisely why the regulations that are already in place include extraordinary protection for consumers. The power is there for the OEB to come down like a ton of bricks on any retailer that engages in unscrupulous practice. I am sure the member will pursue that matter through the appropriate fora and that the appropriate remedies will be taken against the offenders if, as and when their offence is proven.

But that one example should not take us away, should not deter us, from continuing down a path that is no different from the path that was taken in telecommunications 10 years ago. Ten years ago, we had only one choice for phone companies. Now you have at least two choices for local phone service, an infinite number of choices for long-distance carriers, and four different cell-phone companies. You have, in today's dollars, lower costs for phone service than you had 10 years ago. The member opposite still has not come up with a single commodity ever where if more people bring more product to a market, prices go up. But somehow we're going to suspend all the laws of supply and demand just because this is something that the vaunted old monopoly of Ontario Hydro used to deliver to our doors.

1140

The fact of the matter is, the old monopolistic ways aren't worth protecting. They aren't worth defending. The member should be ashamed to stand up and suggest consumers would be better protected by throwing on another \$3,000 for every man, woman and child in this province—their share of the accumulated Ontario Hydro debt. That was the legacy of having a monopoly. That was the legacy of a lack of consumer choice.

On top of everything else, the reality is that for the first time ever we now have, as of right, the ability for anybody who wants to generate green power the chance to sell into the marketplace. We were constrained. If Ontario Hydro didn't think a wind turbine was a good idea or a solar array was a good idea, you didn't have a choice. You didn't have a chance to buy green power. You were going to buy coal. That's what delivered the peak power in this province, and still does. But under our new system, if someone like Toronto Hydro Energy Services wants to put a wind turbine down on the waterfront, they will absolutely and positively have the ability to sell that power into the grid. Consumers who want to do something about cleaning up our environment will have, as a right, the ability to buy that power.

This bill is wrong. The bill would take us back down a very dangerous path. That's why I will be opposing.

**The Acting Speaker:** Further debate?

The leader from Kenora-Rainy River has two minutes to reply.

**Mr Hampton:** I'm pleased to respond to some of the comments. I won't be responding to Mr Gilchrist's comments because in fact they didn't address anything in the bill. The bill is about consumer protection. The bill is about those close to one million people out there across this province who in many cases have been misled, have been lied to, have had their signatures forged or have been threatened with having their power shut off if they didn't sign with one of these door-to-door rip-off retail electricity outfits. That's what it's about.

The government members who want to pretend that they are in favour of protecting consumers alluded to some things that I think need to be addressed. First of all, they said that signing a contract with one of these electricity retailers is like signing a mortgage. The reality is, these retail contracts are like signing a mortgage with a very crooked salesman. Furthermore, most people, when they're signing a mortgage, don't have to deal with someone who is deliberately misleading them. They don't have to deal with someone who is willing to forge their signature. They don't have to deal with someone who knowingly is providing them with false information. They don't have to deal with someone who threatens them. They don't have to deal with crooks. Furthermore, when people are signing a mortgage, they generally know what they're paying now and therefore they're able to examine the alternatives carefully. But the way the government has designed the so-called retailing of electricity, people don't have the information to be able to compare. People don't have the information to be able to know what is the price of generation now and what is the price of generated electricity that is being offered to them or, in many cases, directed to them by these retail consumers.

That is why this legislation should be passed. This should be about protecting the consumer, something that the Ontario Energy Board doesn't have the tools to do now. That's why this legislation is necessary.

**The Acting Speaker:** Pursuant to standing order 96, the House stands suspended until 12 noon.

*The House recessed from 1145 to 1159.*

FAIRNESS IS A TWO-WAY STREET ACT  
(MINERS AND FORESTRY  
WORKERS), 2002

LOI DE 2002 PORTANT QUE LA JUSTICE  
N'EST PAS À SENS UNIQUE  
(MINEURS ET TRAVAILLEURS  
FORESTIERS)

**The Acting Speaker (Mr Bert Johnson):** The time allotted for private members' public business has expired, so we will go through the voting procedure.

Mr Ramsay has moved second reading of Bill 14. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.



Call in the members; this will be a five-minute bell. We will defer those bells until after the other item of business.

# ELECTRICITY AMENDMENT ACT (CONSUMER PROTECTION), 2002

## LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (PROTECTION DU CONSOMMATEUR)

**The Acting Speaker (Mr Bert Johnson):** We will now deal with ballot item number 44.

Mr Hampton has moved second reading of Bill 55. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

# FAIRNESS IS A TWO-WAY STREET ACT (MINERS AND FORESTRY WORKERS), 2002

## LOI DE 2002 PORTANT QUE LA JUSTICE N'EST PAS À SENS UNIQUE (MINEURS ET TRAVAILLEURS FORESTIERS)

**The Acting Speaker (Mr Bert Johnson):** Mr Ramsay has moved second reading of Bill 14. All those in favour will please rise and remain standing until recognized by the Clerk.

### Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Bartolucci, Rick  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Clement, Tony  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield

Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gerretsen, John  
Gravelle, Michael  
Guzzo, Garry J.  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Kells, Morley  
Kennedy, Gerard  
Klees, Frank  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Mazzilli, Frank  
McLeod, Lyn

Molinari, Tina R.  
Mushinski, Marilyn  
O'Toole, John  
Ouellette, Jerry J.  
Patten, Richard  
Peters, Steve  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Sterling, Norman W.  
Stockwell, Chris  
Turnbull, David  
Wilson, Jim  
Witmer, Elizabeth  
Young, David

### Nays

Barrett, Toby  
Christopherson, David  
Chudleigh, Ted  
Churley, Marilyn

Gill, Raminder  
Hampton, Howard  
Kormos, Peter  
Marchese, Rosario

Maves, Bart  
Munro, Julia  
Spina, Joseph  
Tascona, Joseph N.

Coburn, Brian  
Gilchrist, Steve

Martel, Shelley  
Martiniuk, Gerry

Wettlaufer, Wayne

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 59; the nays are 17.

**The Acting Speaker:** I declare the motion carried.

Shall the bill be referred to a standing committee?

**Mr David Ramsay (Timiskaming-Cochrane):** I would request that the bill be referred to the general government committee.

**The Acting Speaker:** All those in favour, please stand.

All those opposed, please stand.

The majority is not in favour. The bill will be referred to the committee of the whole.

The doors will be open for 30 seconds to let those come in or leave.

# ELECTRICITY AMENDMENT ACT (CONSUMER PROTECTION), 2002

## LOI DE 2002 MODIFIANT LA LOI SUR L'ÉLECTRICITÉ (PROTECTION DU CONSOMMATEUR)

**The Acting Speaker (Mr Bert Johnson):** Mr Hampton has moved second reading of Bill 55. All those in favour will please rise and remain standing until recognized by the Clerk.

### Ayes

Agostino, Dominic  
Bartolucci, Rick  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph

Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc

Levac, David  
Marchese, Rosario  
Martel, Shelley  
McLeod, Lyn  
Patten, Richard  
Peters, Steve  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

**The Acting Speaker:** All those opposed will please rise and remain standing until recognized by the Clerk.

### Nays

Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug

Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.  
Jackson, Cameron  
Johns, Helen  
Kells, Morley  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia

Mushinski, Marilyn  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Spina, Joseph  
Sterling, Norman W.  
Stockwell, Chris  
Tascona, Joseph N.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Young, David

**The Acting Speaker:** All those opposed will please stand and remain standing until recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 35; the nays are 42.

**The Acting Speaker:** I declare the motion lost.

This House stands adjourned until 1:30 this afternoon.

*The House recessed from 1215 to 1330.*

## MEMBERS' STATEMENTS

### HOME CARE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My colleague the member for Windsor West asked a question of the Associate Minister of Health and Long-Term Care earlier this week. She asked whether it was acceptable that personal care for seniors should be rationed to the point of getting one bath per week. This was not a hypothetical question. My colleague was referring to a specific case in Ottawa of a 76-year-old woman, a stroke victim living at home on her own, who can bathe only with assistance. Her home care hours had been reduced, and she does get just one bath per week.

The newly appointed executive director of the community care access centre in Ottawa was quite clear about the situation. Given increasing need for service and no new money, they are cutting back on hours of care in order to get people off the waiting list. Sadly, the associate minister chose to ignore both the question and the reality of what is happening in home care under his government.

There are two ways of handling waiting lists. One is to provide enough funding to meet the needs and still offer quality care. The other is to cut budgets and demand that more people be given less service. That is clearly the direction this government has taken.

In 15 years in this Legislature, I have never seen anything more vicious than the January firing and replacing of selected executive directors and board members of community care access centres in this province. The new appointees have been given their marching orders: waiting lists are to be made to disappear regardless of what cuts have to be made in the quality of care that is offered. It's happening in Ottawa, it's happening in my home community of Thunder Bay and it will keep happening across this province as long as the government is more concerned about tax cuts than care.

### GO TRANSIT

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Ever since our government took full control of GO Transit, it is my pleasure to report that GO Transit continues to improve their service. On April 29, service on the Georgetown GO train line increased to nine eastbound and nine westbound trains each workday. This is great news for the people and economy of Brampton and Malton. My constituents rely heavily on GO Transit to get around. I hope this added service encourages more

drivers to get on the GO. These new trains will also better serve those who are already using GO, giving passengers more flexible travel times.

We are also happy to see \$4.2 million worth of improvements to the Bramalea GO station, as well as increased GO bus service. The Highway 407 GO bus route now offers my constituents a 25-minute ride to York University or a 70-minute ride to McMaster University, as well as direct rides to the cities of Hamilton and Pickering.

These Smart Growth improvements in transportation are steps in the right direction, but like many of my constituents I recognize more needs to be done to truly meet our city's rapidly growing needs. In particular, let me urge the Minister of Transportation to push forward with the quick extension of Highway 427 north of Queen Street and the extension of Highway 410 north of Bovaird Drive. I know this government is committed to keeping people moving and keeping the economy strong.

**Interjection:** Keeping them on the GO.

**Mr Gill:** Exactly.

### LABOUR MOBILITY

**Mr David Ramsay (Timiskaming-Cochrane):** I'd like to state how pleased I was that the Ontario Legislature this morning supported the passage of second reading of my private member's bill, Bill 14, Fairness is a Two-Way Street Act, which basically sets up some penalties for Quebec workers in northeastern Ontario specifically for coming into Ontario and stealing Ontarians' jobs when Ontario workers don't have the same access to those jobs in the province of Quebec.

As a Canadian, I believe in free labour mobility and feel we should not be having roadblocks. But enough is enough, and when Quebec continues to put up those roadblocks against Ontario workers, it's time that somebody stood up.

I was a little disappointed that the government members did block referral to the standing committee on general government, but it still stays alive and could be called at any time in committee of the whole.

What I was really surprised about, though, was the stance of the NDP caucus in the Legislature. When I brought this bill forward three years ago, maybe because there was a federal election going on—I know Len Wood was running in Timmins-James Bay for the New Democratic Party—they supported it, but this time they decided not to support it. I think the problem is not only the same today, but unfortunately it has worsened. Many workers in northern Ontario have had their jobs stolen by Quebec workers. It's time somebody stood up and said enough is enough. Maybe it takes some tough remedy to do that, but we're prepared to do that over here in the Liberal caucus. I would hope that other northern members from all parties would finally support and stand up for the workers of northeastern Ontario.



## CURTIS JOSEPH

**Mrs Julia Munro (York North):** I rise today in light of the current circumstances to talk about a constituent of mine. Curtis Shayne Joseph was born in Keswick, Ontario, in April 1967. For those of you who do not recognize the name, I will refer to him as "Cujo," the star goalie for the Toronto Maple Leafs.

Cujo attended the University of Wisconsin on a hockey scholarship and then signed as a free agent to the St Louis Blues in 1989. In 1994, Cujo was traded to the Edmonton Oilers—happy to be back in Canada. It was not until the summer of 1998 that Cujo signed a four-year contract with the Toronto Maple Leafs.

Curtis Joseph has proudly represented Canada in the world championships and at the Olympics. I am proud to honour a talented member of my constituency and a Canadian champion. I want to let Cujo know that tonight we are all wishing him well and we'll be screaming, "Go, Leafs, go."

## ONTARIO SECURITY

**Mr Dave Levac (Brant):** Yesterday, the Minister of Public Safety and Security caught all Ontarians, even the Premier, by surprise in announcing that a terrorist cell associated with Osama bin Laden's al Qaeda network was forced to leave the province. Further, he stated that there are other known terrorist groups operating in Ontario. I remind the government of the seriousness of this statement. The government has said it was simply a case of surveillance. However, we are no safer as Ontarians, as North Americans, if this group of terrorists is operating just outside our borders.

The Anti-Terrorism Act at the federal level has given the police the ability to arrest suspected terrorists. It contains a beefed-up police power of arrest without warrant in section 83.3(4)(b). The police can arrest someone if they "suspect on reasonable grounds that the detention of the person in custody is necessary in order to prevent a terrorist activity."

Gary Trotter, the former crown counsel, says that this provision allows the police to arrest someone even if the threat that they may commit an offence is not imminent: "The section seems aimed at taking individuals out of circulation in the hopes of preventing terrorist activities."

I find it strange that a government that prides itself on being tough on crime and terrorism, that threatens to throw squeegee kids and the homeless in jail, that kicks kids out of school for swearing, could do nothing about the terrorist cell lurking in our midst. I find that if this government was serious about fighting terrorism, it would not have let them slip away.

## KITCHENER LAWN BOWLING CLUB

**Mr Wayne Wettlaufer (Kitchener Centre):** I rise today to comment on a very important day in my riding of Kitchener Centre. The Kitchener Lawn Bowling Club

will be 100 years old on June 2, 2002. This weekend, on Saturday, May 25, I will be at the club to join in the celebrations and to present the club with a certificate.

Lawn bowling can be traced back to the Norman Conquest in Britain. Always popular with the people, it was banned in 1366 for fear that archery would suffer. However, once guns and powder arrived, that threat disappeared.

It was mainly the rich who enjoyed this sport originally. It was the sport of kings, of the clergy, of nobility and men of quality. It excluded women, I will say, at that time. Shakespeare and Sir Francis Drake were avid fans.

In Victorian times the game was vigorously revived. Scottish immigrants introduced the game wherever they went. The game spread to Australia, South Africa, India, Japan and Hong Kong. Canada's first bowling green was probably in Annapolis, Nova Scotia.

Kitchener's lawn bowling club, one of four in the twin cities of Kitchener and Waterloo, was formed as the Berlin Lawn Bowling Club on June 2, 1902. Most of the well-known names in Kitchener's history were members. Over the past 40 years many changes have taken place, but the game remains basically the same. Lawn bowling is a sport for all to enjoy.

I invite everyone to come to Kitchener and participate in the festivities, have a good time and learn the game.

1340

## NORTHERN UNIVERSITY FUNDING

**Mrs Marie Bountrogianni (Hamilton Mountain):** Dalton McGuinty and the Liberal Party believe that there is a role for government to ensure that the wealth and opportunities of our province are shared and accessible to all citizens regardless of where they live. Regrettably, the same cannot be said of the Conservative government of this province. I'm concerned by this government's record of shortchanging the citizens and students of northern Ontario.

A new report released this week revealed that students at Lakehead, Laurentian, Algoma and Nipissing University are paying a greater share of the education bill than students in other areas of the province.

Only 4% of the government's operating grant goes to these schools—4%. What this means is that northern schools are being forced to dig even deeper into tuition to cover their operating costs. The study also underscores that the neo-conservative policy of linking public dollars to private co-financing is not working. It does what all Conservative policies are meant to do: benefit those who already have. This is wrong, and these inequities should be stopped.

I recently raised the same concern when this government announced new applied degree programs for the colleges. Twelve applied degree programs were announced, and none were in the north.

This government has neglected the students of the north by denying the colleges and universities of northern Ontario the tools they need to advance their region.

I call on the Premier and his government to level the playing field and ensure that opportunities are distributed in a more balanced way, allowing all Ontarians an opportunity to prosper.

### PATIENTS' BILL OF RIGHTS

**Ms Shelley Martel (Nickel Belt):** This afternoon I'll be introducing the Tommy Douglas Act (Patients' Bill of Rights) on behalf of the New Democratic Party. This is the third time the NDP has introduced a patients' bill of rights. In 1998, the first bill was introduced by Marion Boyd and was debated at second reading. Conservative members spoke in favour of the bill and then voted against referring it to the social development committee. The bill was reintroduced in April 1999 but died on the order paper. I am pleased to introduce it again today.

The Tommy Douglas bill of rights sets out what Ontario patients can and should expect from the publicly funded, publicly administered health care system. The bill provides for an Ontario health care standards commissioner who will establish provincial standards for high-quality health care in association with health care professionals and organizations.

The health care standards commissioner will be responsible for monitoring the provisions of the patients' bill of rights to ensure compliance and to make recommendations to the Legislature for improvements to laws and policies governing health care. The commissioner will investigate complaints and report annually to the Legislature.

The bill provides whistle-blower protection for health care workers who report incidences where our health care system has let down patients and their families. The bill would extend the principles of the Canada Health Act to the long-term-care sector.

My bill will be debated next Thursday morning, and I trust that all members will support it, especially government members, since the former Minister of Health, Elizabeth Witmer, promised a bill of rights to ONA and RAO in 1997. It was a commitment in the 1999 Conservative election platform and was promised again by this government in the throne speeches and budgets of 1999 and 2000.

I look forward to passage next week and to referral to committee.

### VINCE AUDIBERT BOATHOUSE

**Mr Bart Maves (Niagara Falls):** On May 11, the new home of the St John Ambulance water patrol program was opened at the newly dedicated Vince Audibert Boathouse. The boathouse replaces an aging structure that served the unit for 20 years.

The St John Ambulance water patrol unit provides an essential service to the people of Niagara Falls. By monitoring the fast-flowing water currents of the Chippawa Creek, this program has prevented our residents and

tourists from countless accidents and injuries over the many years.

The unit's old boathouse was decrepit and increasingly in need of replacement. The program subsequently rented a slip at the boat club in Chippawa. This, however, meant that expensive rescue equipment had to be hauled between the organization's headquarters and the launch.

The community decided to rally together to build a new boathouse. Funding was provided by private donations, corporate supporters like OPG, and city council, while the tireless and dedicated members of the Chippawa Volunteer Firefighters Association offered free labour.

The boathouse is named after Mr Vince Audibert, the chairman of the boat patrol committee, whose steadfast commitment and drive saw the completion of this project. Mr Audibert is a long-time volunteer in the Niagara community and has always been the principal driver behind the boat patrol.

This boathouse represents the true spirit of co-operation in Niagara Falls. I'd like to offer my congratulations to everybody involved.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr John Gerretsen (Kingston and the Islands):** I beg leave to present a report from the standing committee on public accounts and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee recommends that the following bill be not reported:

Bill 95, An Act to require open meetings and more stringent conflict rules for provincial and municipal boards, commissions and other public bodies / *Projet de loi 95, Loi exigeant des réunions publiques et des règles plus strictes de règlement de conflit pour les commissions et conseils provinciaux et municipaux ainsi que les autres organismes publics.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1345 to 1350.*

**The Speaker:** Mr Gerretsen has moved the adoption of the report of the standing committee on public accounts regarding Bill 95.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted  
Baird, John R.  
Barrett, Toby

Gill, Raminder  
Guzzo, Garry J.  
Hudak, Tim

Mushinski, Marilyn  
O'Toole, John  
Ouellette, Jerry J.



Chudleigh, Ted  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve

Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia

Runciman, Robert W.  
Sampson, Rob  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob

participating in the setting of health care standards and the development of complaint procedures, monitoring health care standards and making recommendations to the Minister of Health and Long-Term Care and to the Legislature. The bill establishes whistle-blower protection for the employees, the providers of health care services. The bill requires conspicuous posting of copies of the patients' bill of rights and of the whistle-blower protection provisions.

**The Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bountrogianni, Marie  
Bradley, James J.  
Bryant, Michael  
Colle, Mike  
Conway, Sean G.  
Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona

Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Levac, David  
Marchese, Rosario  
Martel, Shelley

McLeod, Lyn  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 41; the nays are 30.

**The Speaker:** I declare the motion carried.

**Ms Caroline Di Cocco (Sarnia-Lambton):** Mr Speaker, on a point of order: This morning the government members of the standing committee on public accounts defeated Bill 95. I guess what it shows is that the government doesn't have the political courage to support this legislation.

**The Speaker:** That is not a point of order, I'm afraid.

## INTRODUCTION OF BILLS

### TOMMY DOUGLAS ACT (PATIENTS' BILL OF RIGHTS), 2002

#### LOI TOMMY DOUGLAS DE 2002 SUR LA DÉCLARATION DES DROITS DES PATIENTS

Ms Martel moved first reading of the following bill:

Bill 27, An Act to promote patients' rights and to increase accountability in Ontario's health care system /  
Projet de loi 27, Loi visant à promouvoir les droits des patients et à accroître l'obligation de rendre des comptes dans le système de soins de santé de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Ms Shelley Martel (Nickel Belt):** The Tommy Douglas Act codifies the rights of residents of Ontario who receive health care services in the form of a patients' bill of rights. The bill provides for the appointment of a health care standards commissioner, an officer of the Legislature, who will perform functions such as par-

#### RICHARD RUSTON

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** On a point of order, Mr Speaker: I believe we have unanimous consent to say some remarks about yet another deceased member of this Legislature.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Mr Conway:** As we speak, about 350 kilometres southwest of this place, in the beautiful flatlands of Essex county, my old friend Dick Ruston is being laid to rest. I know that on behalf of Dalton McGuinty and one of our colleagues particularly, Bruce Crozier—the current member for Essex is attending the funeral this afternoon—we want to extend our condolences to his wife of 59 years, Shirley, and to their children.

Dick Ruston was the Liberal member for Essex North for 17 or 18 years, from 1967 to 1985, and a very good member was he. I counted Dick as a good friend.

My friend Bradley is a much calmer, more diplomatic person today, largely because of the tutelage that he underwent when Dick Ruston was the whip. If Dick were here today, he'd say, "Now, Conway, keep it fairly short, and not too much baloney." That's not always an easy thing for me to do.

He was a plain-talking, positive kind of guy who had very definite views. My friend Mr Sterling might remember some of those views. I can think of a couple of pretty contentious issues where Dick didn't mind telling the Minister of Education just exactly what he thought. It was his opinion and maybe not necessarily the opinion of his colleagues.

He was out of that old, clear Grit tradition of southwestern Ontario. He believed in local government. The best government, he would argue, is the smaller unit closest to the people. He certainly brought that opinion to our caucus over his long years of service here.

Dick served as the reeve of Maidstone township before coming here and was, as I indicated earlier, whip of our caucus for many years.

Most politicians like to skate. Dick Ruston liked to dance. He was a hell of a good dancer. He knew how to have a good time. One of the things I think we must observe about the political class is that we are sometimes given to a little too much wringing of the hands. I've sometimes felt that, after a while, your average member of the Legislature or the Parliament has lost sight of how to have a good time. Dick Ruston always knew how to balance the important business that was his responsibility

with a good time. He certainly enjoyed a very full and happy retirement, although the last few years were difficult as he struggled with Alzheimer's disease.

He was, as I indicated earlier, a man of the people who was very positive, very frank, a valuable member of our caucus; somebody who brought a definite set of opinions to local and provincial issues.

As I said earlier, when I came here in 1975, he took me under his wing. I considered him a very good friend. We had many happy times together in his home down in Woodslee.

I want to say particularly to his wife, Shirley, who was such a happy partner of his through those many years of public life: to you, Shirley, and to your family, we express our condolences. We want you to know that your husband's memory will be long cherished by his colleagues, past and present.

1400

**Mr Peter Kormos (Niagara Centre):** I'm honoured on behalf of the New Democratic Party caucus to join in this tribute to former member Dick Ruston, who passed away at the age of 82. He had a full political career, of course, like so many politicians not only of his era but currently serving at the municipal level, not just in elected political positions but on so many boards and agencies and charitable organizations, where he helped and did an outstanding job at making his community a better place—a full political life and also a full life in his own right. He was 82 years old when he passed away, and for 18 of those years, from 1967 to 1985, he served here in this Legislature, of course as an opposition member.

Perhaps one of the real tests of the electability of a politician is a politician who can get himself or herself elected contrary to the prevailing wave, if you will. Dick Ruston did that, being elected from down in Essex when the Conservatives were, as they were, firmly entrenched, perhaps far differently from the way they are now. But at a time when the Conservatives were firmly entrenched, clearly for a gentleman like Mr Ruston to find himself elected and then re-elected and re-elected again was an indication not only of his popularity but of his talents and skills.

One reads numerous newspaper reports and reads of the despair of his then leader, David Peterson, at his retiring in 1985. Of course, by retiring he passed that riding on and wasn't able to share in the period of time when the Liberals formed the government. But he served not only his community; he served his party and he served this assembly.

I note that Jim Foulds, an NDP member from the Thunder Bay area who served with Dick Ruston and who was partisan a politician as ever could have been or ever will be, and who noted the same of Mr Ruston in his recollections of him, also indicated that when he and Mr Ruston would leave this chamber, as was the case with so many of the other colleagues of Mr Ruston, partisanship was set aside and abandoned. It speaks to an era when there was a higher degree of collegiality here, some

genuine friendships developing and perhaps levels of trust which the passage of time have made at the very least more difficult.

I also note that when Mr Ruston retired in 1985, his community of course wanted to pay tribute to him—Mr Ruston was 65 years old at the time. The Knights of Columbus hall was used for a public gathering, a dinner to fete Mr Ruston. Not only were there numerous Liberals there, as one would expect, and of course family members and friends from the community and colleagues from the municipal political level, but one will note that at that tribute to Mr Ruston there were also prominent New Democrats of the day. He was clearly loved by his community, loved by his colleagues and, as important, respected by his colleagues.

The role of whip is a unique challenge in any caucus and, clearly, when Mr Peterson chose Mr Ruston as his whip, he took note of the many qualities and skills Mr Ruston had.

So New Democrats join with other members in this assembly in paying tribute to Mr Ruston, acknowledging his tremendous contribution to his community and to the province—his service here in this assembly—and we join other members in passing on our condolences, our most sincere sympathies, to his family but also to his many, many friends and colleagues in his community and beyond.

**Hon Norman W. Sterling (Minister of Transportation):** I had the pleasure of sitting in the Legislature with Dick Ruston from 1977 to 1985. I guess Dick sort of missed the timing, in terms of his parliamentary career, because he was here for 15 or 18 years, and yet he came in in 1985, just at the end of the long dynasty—42 years—of the Progressive Conservative Party, and never got to the government side.

But one of the things I can remember about Dick was his frankness and his straightforwardness. There was no spin on this gentleman to speak of at all. But he carried that characteristic not only in terms of debate he would have in this place—and none of that directness was ever taken as being mean-spirited; it was just directness in terms of his talk about issues.

I must say at this juncture too that I guess his most ardent interventions came on behalf of the farming community of southwestern Ontario. That's where he placed himself in terms of politics. While Mr Conway refers to him as a Grit of southwestern Ontario, I can tell you that probably Dick was far right of a lot of the people on this side of the House at this time, and at that time as well.

He would also carry this frankness toward meeting with government ministers. I think he was able to achieve a great deal on behalf of his constituents during that time, because they respected the directness and the fact that he would also hold to his word in terms of any kind of dealings he had with a minister in order to gain an advantage for a constituent or for a municipality that he represented as well.

As Mr Kormos mentioned, that was a time when there was perhaps more closeness between the two sides of the



House. I quite frankly attribute that to the intervention of television in 1986 or 1987. That has in some ways worked against members of the ilk of Dick Ruston, in that his speeches were usually relatively short, compact and direct, and perhaps they don't really fit today's Parliament in terms of the kind of representation he might bring.

I can remember spending many nights in this Legislature, sitting with him either on that side or on this side and talking to him about the problems in his constituency and the problems with the government and about issues. He also was a very solid member for his party. He participated fully in this Legislature in opposition. He was there for the votes. He was there in committee. He spoke in committee. He participated fully and was indeed a tribute to this institution as a member of the provincial Parliament.

I believe Dick and his wife Shirley had five children, and our party would like to extend our condolences to all of them, to the family and to his community, which I am sure remembers him well. We remember Dick well, and we thank his family for sharing so much of Dick with the rest of Ontario.

**The Speaker:** I thank members for their comments and will ensure the family receives copies of Hansard with the comments here today.

#### VISITOR

**Mr Mike Colle (Eglinton-Lawrence):** I'd like to welcome to the members' gallery a visitor from the city of Manfredonia, Italy, in the province of Puglia, Domenico D'Aciero.

### ORAL QUESTIONS

#### WALKERTON TRAGEDY

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. I'm holding in my hand part 1 of the Walkerton report. Of the 28 recommendations in part 1 of the Walkerton inquiry report, you have only implemented eight.

The number 1 recommendation of this report is for you to have hired full-time medical officers of health for every community in Ontario. You haven't done that. There are still at least seven communities in Ontario with no full-time medical officer of health.

1410

This was the number one recommendation in part one. I'd like you to explain to this House why two years after Walkerton you have not implemented this number one recommendation.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I am in complete agreement with the honourable member that it is desirable and indeed necessary to have full-time medical officers of health in our

province. As she may know, but I would be happy to let the rest of the House know, it is difficult to find the qualified personnel who can take over that responsibility. I think we have an obligation to make sure we have qualified personnel. If the honourable member has a list that I'm unaware of, please share it with me. In the meantime, we will do everything we can to find excellent personnel who are available on a full-time basis to do this job. That has got to be one of our first priorities.

**Mrs Pupatello:** I can't believe this answer. My colleagues on this side of the House cannot believe that you would say in this House, "We'd love to hire them but we can't find people to hire." It's a big world out there, Minister. We'd like to see some kind of paper trail on exactly what you have done to satisfy this number one recommendation in part one. Now we are waiting—maybe at 1 o'clock, maybe at 4 o'clock today—for the next part, part two, of Walkerton, but you haven't managed to satisfy the number one recommendation of the first part of this inquiry report.

You'll remember Dr Schabas. He was the fellow who spoke at the inquiry. Dr Schabas was the fellow who said, at the time that he testified at the Walkerton inquiry, that Mike Harris turned his back on public health. Here's what he said just recently in a local Canadian Medical Association Journal, "Ten months after my testimony, there are still seven Ontario health units without a medical officer of health." Stand in your place today and tell this House what you will be doing about this. How can you answer that you haven't been able to find them when you've had two years since Walkerton to satisfy that number one recommendation?

**Hon Mr Clement:** If we want to put all the facts on the table, the honourable member would know that in the meantime there have been interim medical officers of health who have been retained to provide for the responsibilities that have to be discharged. That is the interim. The honourable member should know that we want to be in a position to hire the very best people who have the best qualifications and we will undertake to do so at the earliest available opportunity.

**Mrs Pupatello:** The minister must have just admitted that those who are acting clearly are not qualified to do the job. Why would you appoint them to act? The question still remains two years after Walkerton. Today we were to receive a report, which is part two, of recommendations coming out of that inquiry, but after two years you haven't managed to satisfy the number one recommendation. There are seven communities in Ontario—Huron, Lambton, Oxford, Elgin-St Thomas, Haldimand-Norfolk, Timiskaming, Wellington-Dufferin-Guelph—that have no full-time medical officer of health.

Minister, what do you say to these communities after the debacle of the government's responsibilities around Walkerton? You cannot stand in your place today and say that you have satisfied any more than eight of the 28 recommendations that came out of part one. What will you have to say when part two becomes available to us today? What responsibility does this Minister of Health

have to the people of Ontario, and in particular to the people of Ontario with no full-time medical officer of health?

**Hon Mr Clement:** I believe I gave the answer, that we have interim medical officers of health. I don't know where she gets this "eight recommendations fulfilled." That's probably her list, which is a partisan political list, I'm sure.

On this side of the House we take the Walkerton inquiry recommendations very seriously. We are doing so in a non-partisan way for the benefit of the people of Ontario, to ensure that we have the best water quality standards, the best public health standards. That is what we are aspiring to on this side of the House. We're trying to take the politics out of this; they're trying to keep it in.

### CHILDREN'S HEALTH SERVICES

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Health. With today's news of pediatric hospital cuts, you are breaking your promises to the families of southwestern Ontario. Your predecessor promised in 1999, during the election campaign, that these children's programs would be preserved. Then you yourself, at the height of a leadership campaign, came to London and told families that there was no plan to strip pediatric programs from either London or Ottawa.

Now we know exactly what you're going to do. Without these services, very ill children are going to have to travel very far. Minutes can be spent saving a child's life that shouldn't be spent travelling down the highways of this province.

Will you tell the parents and families of southwestern Ontario why you're breaking your faith with them? Why are you putting the lives of these young children at risk? Minister, why are you cutting the heart out of health care in southwestern Ontario today?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member should know that I created the specialized pediatric services review for the express purpose of ensuring that we have the best health care for our children. As a parent myself I'd want to know that if my children required specialized pediatric cardiac services, they would have the best services somewhere in Ontario. That is what this report recommends. It is a report that focuses on the best results for our kids, so that they live longer, healthier lives if they're afflicted with the need to have this kind of surgery.

If the honourable member wants to stand in his place and say that his motive is different from that, I challenge him to do so. But I know him well enough to know that he would want to have the best results for our children. That is what this report indicates is possible and desirable, and it creates a path that we have accepted.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Richard Patten (Ottawa Centre):** To the same minister: the decision you made today effectively devastates cardiac care in eastern Ontario.

**Interjection:** It does not.

**Mr Patten:** It does so. If you take that program out of the cardiac program at the Children's Hospital now, what do you think is going to happen? I guarantee that you will lose cardiac doctors—I guarantee you that—and they will have a weaker program, and that will ricochet all the way through eastern Ontario.

*Interjections.*

**Mr Patten:** It's not some little hick town. CHEO serves a million and a half to two million people throughout all of eastern Ontario. And I hope that you, Sterling, will stand up and fight for it as well.

What about the families? I didn't hear you talk about any of the families that are going to have to travel 400 kilometres to 600 kilometres with a sick child to a centralized service.

Every other program in the province is hurt by your decision today; I guarantee it. It's going to be devastating. I also want you to think: is Sick Kids going to have a program for francophone families from eastern Ontario, as CHEO does? They don't have one now; I doubt they'll have one in the future. What are you going to tell the families of eastern Ontario?

**Hon Mr Clement:** I would tell them what I would tell any member of this House, that the evidence is in. If the honourable member does not believe our own specialized experts, the best experts in the world, about the need to create a high-volume specialized centre, maybe he'll listen to the Manitoba report of 2002 or the Bristol Royal Infirmary Inquiry of October 2001 in England or the office of our own chief coroner in November 2001. The evidence is in, and it indicates that low volumes do not equal best outcomes.

We are creating a province-wide network that will provide for the best children's care in Ontario. This is better, and it is perceived to be better both by experts at CHEO and experts in London. This is going to create better outcomes for the kids of our province. That's why we had to make that decision. If the honourable member can stand in his place and say he is not for that, I'd like to hear him do that.

**The Speaker:** Last supplementary.

**Mrs Sandra Pupatello (Windsor West):** Minister, those communities, especially London and Ottawa, have been reeling. First, in 1999, they were going to be cut, and then they weren't going to be cut. During your own leadership race it was going to be cut, and then it was not going to be cut. Today it is being cut. The only thing that has changed since 1999 is politics. First to save your bacon during a general election and then to attempt your own leadership race, you changed your position, because those facts didn't matter then. What will happen in both Ottawa and London is that they will not be able to recruit and retain the specialists they currently have. They will not be able to go into the future and say they have a world-class centre that offers all these programs.

I would like to ask this minister if he has the support of local Tory MPPs from those areas. I want to know the position of Frank Mazzilli, Dianne Cunningham, Bob Wood, Garry Guzzo, Norm Sterling and John Baird. Do



those local Tory MPPs support you in your decision today, because politically, expediently, it's OK for you to make that decision today? Will you tell us if those local Tory MPPs support your decision?

1420

**Hon Mr Clement:** I encourage the honourable member to read the report, created by some of the best pediatricians in the world. It included Dr Tom Frewan, who is indeed from the London Health Sciences Centre. He said today, "I'd like to make a comment because I know our local MPPs, which cross party lines, have all ... illustrated real concern.... This report, in my opinion, as chief of pediatrics at Children's Hospital Western Ontario, puts us on a firm footing as far as the delivery of a whole range of pediatric specialized services.... London's role in the delivery of pediatric specialized care" will not be diminished. "Indeed it creates a provincial system and gives us now an opportunity ... to bring our needs and issues to the minister's attention."

That is what the chief pediatrician in London is saying. If the honourable member or any member of her caucus can stand in their place and say they do not want the better results, I encourage them to do it now, and then the people of Ontario can render their judgment.

#### SAFE DRINKING WATER LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier and is about Walkerton. Today, Commissioner O'Connor has delivered the final report of the Walkerton inquiry. Now is the time to take decisive steps to ensure that this tragedy never happens again. My question to you is, will you commit to speedy passage of the Safe Drinking Water Act put forward by my colleague Ms Churley over two years ago, a Safe Drinking Water Act which has now been pending before this Legislature for almost two years? Will you commit to passing the Safe Drinking Water Act?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** In response to the leader of the third party, the leader is right: the Attorney General has just received part two of the report from Walkerton, from the commissioner. That report will be made available to the public as quickly as possible.

As far as the initiatives we have taken, I think the leader of the third party knows full well that we have taken incredible steps, very aggressive action, in order to ensure that the people in Ontario have access to safe drinking water. We did initiate what we called Operation Clean Water. We introduced the drinking water protection regulation. I can assure the leader of the third party we will continue to move forward in a way that we will provide all people in this province with very safe, clean drinking water.

**Mr Hampton:** It was a simple question. Will you commit to passing the Safe Drinking Water Act? Just out of decency, I think you should be able to tell the people of Ontario yes.

But I have a couple of other questions. Will the provincial government create an office of the chief inspector

of drinking water systems? Will the Ministry of Environment increase its commitment to strict enforcement of all regulations and provisions related to the safety of drinking water; in other words, hire back some of the 900 staff that you fired before Walkerton happened? Will you commit to those two things?

**Hon Mrs Witmer:** The leader of the third party knows full well that we have been moving forward very aggressively in order to ensure that we have safe drinking water for all citizens in Ontario. We presently have the toughest drinking water regulations in Canada. In fact, other jurisdictions are copying the initiatives and measures we have undertaken. Just recently, as the member knows, we announced that we would be proceeding to implement the doubling of the number of inspectors and we would be ensuring that one out of three annual inspections will be unannounced. We have been increasing the number of individuals who are going to be available in order to ensure that drinking water in this province is safe.

**Mr Hampton:** Minister, it is recorded in part one of the Walkerton inquiry that your government laid off 900 inspectors, enforcement officers and other scientific support officers who supported safe drinking water in this province. Now you want public kudos for hiring 26 of 900 back.

But I have a couple of other questions. Will the provincial government ensure that programs relating to the safety of drinking water are adequately funded? In other words, not only will you hire back the staff, but will you ensure that the programs related to safe drinking water are adequately funded, something that obviously didn't happen in the three and four years before the tragedy at Walkerton? Will you make that commitment, Minister?

**Hon Mrs Witmer:** We have invested a considerable amount of resources in the protection of providing safe drinking water to the people of this province in recent years. I'd just like to speak to the fact that, for example, under Operation Clean Water we announced \$10 million in funding for groundwater studies in Ontario municipalities. This was the largest single investment in groundwater protection in the history of this province. That was a very significant step forward.

We've also invested, through SuperBuild, \$10 billion in strategic infrastructure projects, including improvements to municipal water and sewage systems. Again, that's going to leverage \$10 billion or more from the private and the broader public sector. We're implementing a \$6-million provincial groundwater monitoring network. I could go on and on. For example, we committed \$240 million under SuperBuild's Ontario small town and rural development. We have—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the Deputy Premier's time is up. New question.

#### NUTRIENT MANAGEMENT

**Mr Howard Hampton (Kenora-Rainy River):** Minister, there are all of those announcements, but most of the money hasn't gone out the door yet because muni-

cipalities are wondering where it is. All of that doesn't amount to what was there before your government started cutting and chopping out of the ministry that was supposed to protect our water.

But I have another question. Part of the debate about nutrient management is that initially your government wanted to fob the responsibility for controlling nutrient management off to local municipalities. Most recently you wanted to put it with the Ministry of Agriculture. We all know it belongs with the Ministry of Environment.

Minister, is your government prepared to commit that the Ministry of Environment will take the lead role in regulating the potential impacts of farm activities on drinking water sources? Not the Ministry of Agriculture, not municipalities; the Ministry of the Environment. Are you prepared to make that commitment?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to ask the Minister of the Environment to respond to that question. I know he's prepared.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** What this government is prepared to state today is that we will ensure that the inspections are carried out by the proper staff, by the government and by the appropriate ministry involved.

I understand your question being that you don't think the Ministry of Agriculture can provide inspections to the level of the Ministry of Environment. Frankly, I don't agree. I think the Ministry of Agriculture is capable of doing that. When that decision is made, though, we will announce the decision and inform the people of the province of Ontario. But let me say very clearly, our priority is to make sure the inspections are done, they're done well and they're done comprehensively. We will ensure that those commitments are met regardless of the ministry that does the inspections.

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Marilyn Churley (Toronto-Danforth):** My question is to the Minister of the Environment. Minister, I believe that your ministry has not adequately responded to the recommendations in part one of the Walkerton inquiry. What I want to ask you today is, should Judge O'Connor recommend that you bring in a comprehensive Safe Drinking Water Act, will you indeed commit today to do that?

**The Speaker:** The member is supposed to do a supplementary and a follow-up on the same topic. I've been trying to follow and see if it is. Is it related to the same topic?

**Mr Hampton:** Yes.

**The Speaker:** Proceed.

1430

**Ms Churley:** Minister, we're talking about safe drinking water here. It's all related. I'm asking you specifically, should the judge, in part two of the Walkerton inquiry, recommend that your government bring in a comprehensive Safe Drinking Water Act, will you commit today that you will bring in such an act as quickly as possible?

**Hon Mr Stockwell:** Before we start speculating on what the report says and start speculating about proposed solutions and start speculating on what this side or that side of the House will do, I think all reasonable people would agree that we take the time to read the report.

**Mr James J. Bradley (St Catharines):** Why didn't you release it earlier?

**Hon Mr Stockwell:** Now it seems to me—and the answer to the heckle from the member for St Catharines is, we didn't get the report. We didn't have the report. The report was only delivered today to the Attorney General at 1:30, and they're working feverishly to get it up on the Web site to ensure the people of the province of Ontario have the report. Reasonable people would think that before you start making commitments or speculating on what a report says, you and I may want to take on the crazy task of reading the report.

#### MINISTRY OF THE ENVIRONMENT STAFF

**Mr James J. Bradley (St Catharines):** I have a question to the Deputy Premier. In 1996, Finance Minister Ernie Eves, in his stampede to cut taxes for the rich before balancing the budget, made huge and damaging cuts to the Ministry of the Environment despite clear warnings that these cuts would pose a serious risk to public health and safety.

The environment ministry was hit particularly hard in staff and resources by this slash-and-burn approach. Almost 50% of the budget and one third of the staff was lost. The number of individuals dedicated to drinking water protection when the Conservative government took office in 1995 was 114. You cut that number by 48%, leaving only 48 when the axe quit swinging.

After the release of part one of the Walkerton report, you have implemented only eight of 28 recommendations and you've hired only 26 water inspectors to try to appear to be doing something significant to address your problems.

When will you agree to restore the staffing levels for water protection to at least what they were before Finance Minister Ernie Eves put the boots to the Ministry of the Environment in 1996, 1997 and 1998?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'll refer that to the Minister of Environment.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The rhetoric is far exceeding the question. The question is about the report and the implementation of that report.

Let me just say to the member opposite that we've been working at top speed to deal with this report and implement the changes and recommendations that were put in place. We as a government have committed to implementing all the recommendations. In fact, we'd done so even beforehand, before the report came out, before the recommendations were in fact put in place. Since then, we're up to: one out of every three inspec-



tions will be unannounced; inspectors will follow a written protocol that ensures more thorough and effective inspections; follow-up inspections within one year of any inspection that discloses a deficiency; increasing the number of dedicated water system inspectors to 51 permanent. We've implemented all those, including that all municipalities have to be informed through their certificates of approval whether they need to have continuous chlorine and turbidity monitoring and alarms.

This government has worked quickly and we continue to plan on working quickly to implement the recommendations. The question was: we've been slow in this? Not at all; exactly the opposite. We've been quick. We were quick off the mark before the report came out to implement them, and we've been quick off the mark to implement the report. That's an unfair comment.

**Mr Bradley:** Let me tell you what one of your ministry officials said, rather than what you're saying politically today. In an article this year, one of your officials said, "Our problem is we don't have the staff to review the reports and help the waterworks fix the problem. We just hope the damn reports aren't too bad," said a senior environment ministry official speaking on condition of anonymity," of course. "As far as I can see, the top brass at the ministry is ducking and hiding. I don't see a lot of extra people being hired to improve water quality. We just seem to be spin-doctoring our way through yet another reorganization of staff," said the environment ministry official.

I agree with that official. It's obvious now that billions of dollars will be required to repair and restore the water treatment and sewage treatment infrastructure in Ontario. Your government, with great fanfare, makes a lot of announcements, but it doesn't follow through on them.

Are you now prepared to commit the billions of dollars that will be required in investing in the water and sewer infrastructure in this province to restore the kind of safety to our water system that is required, or are you prepared to simply continue to spend money on government advertising, a \$2-billion tax gift to the rich and a half-billion-dollar tax gift to those who are in private schools?

**Hon Mr Stockwell:** You quote some anonymous person, and you read it into the record here and you ask me—

**Mr Bradley:** What do you think would happen if he gave his name? He'd be fired.

**Hon Mr Stockwell:** You had your question. I'm trying to give you the answer. You asked the question. I'm trying to respond. You asked the question. You quote some anonymous person who said X, Y and Z. I have no idea who this person is. You say it's a senior staff person. I have no idea who the senior staff person is. I have no idea how much reliance to lend to the quote, so it's really quite unfair for you to come into this House and start quoting ghosts about whether or not we're doing the right job.

Secondly, 65 new staff for SWAT, 69 for Operation Clean Water, the increases that I talked about there as far as inspections are concerned.

The frustration on the other side of the House is that we are moving quickly. The frustration on the other side of the House is that we have hired staff. The frustration on the other side of the House is that they know that we treat this as a tragedy. We have dealt with it in a professional, governmental approach and we have dealt with it fairly. The frustration on that side of the House is, the only quotes you can dig up to condemn us are from an anonymous source.

#### FEDERAL AIRPORT SECURITY FEES

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Tourism and Recreation. I was very pleased to see that the provincial government reacted quickly to strengthen tourism after September 11, investing \$10 million in new funding to aggressively market Ontario. What we got from the federal government was an air travellers' security charge that hurts all people who use airplanes.

This past weekend, Minister, you represented Ontario at the federal-provincial-territorial conference in Halifax. How do provincial and territorial ministers of tourism view this tax?

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I thank my colleague, the member from Bramalea-Gore-Malton-Springdale, for his question. I want to report that all my fellow cabinet ministers from across Canada were on the same page in our concern about this air travellers' security charge. We felt that it was rather excessive and punitive.

It's very clear to those of us who have rural and remote areas of our provinces that, for example, in Ontario a person travelling with a connecting flight to Sudbury on a return ticket will end up spending \$48 on the security tax. In fact, in some instances, we found out that the cost of taxes and surcharges was greater than the cost of the flight for many Canadians. This tax, quite frankly, discriminates against people living in rural and remote areas. As ministers, we agreed that the tax must be repealed, significantly reduced or modified; say, no charge for planes under 60 seats, as they do in the United States.

**Mr Gill:** Minister, I understand that this was the fourth year in a row that the federal minister of tourism has ignored the concerns of the tourism industry by not attending the conference. How did the provincial and territorial tourism ministers communicate their message to the federal government?

**Hon Mr Jackson:** It's interesting to note that we actually had the president and CEO of Air Canada show up and meet with us but we couldn't get a federal cabinet minister to show up. What we said as ministers was that we need a champion for tourism and economic development in Ottawa, which we don't have today. We know that the federal government has not been aggressive in protecting Canadians with respect to air policies. And certainly it's been strangling—strangling—tourism.

The members opposite might be interested to know that the deal that Air Canada has with the federal govern-

ment is that, as of January 4, 2003, Air Canada can cancel any flight to any city anywhere in Canada, at will. The ministers were very concerned about this. We're concerned about it in Ontario, if the members opposite aren't. We ask that we be given far more notice than the 120 days that the federal government has settled for, and we hope to get a meeting with Allan Rock here in Toronto or in Ottawa or someplace where that minister will show up and speak to the tourism ministers. Tourism is too big an industry in this province, too many jobs, to be neglected by the federal government in this way.

1440

#### MINISTER'S COMMENTS

**Mr Michael Bryant (St Paul's):** My question is to the Deputy Premier. It has come to my attention that in fact the comments made by the Minister of Public Safety and Security yesterday in this House and outside this House may have breached national security laws, may have breached provincial and federal laws by alerting other sleeper cells under surveillance that they may be under surveillance, by letting a sleeper cell that was under surveillance know they are no longer under surveillance and otherwise providing a status report on a terrorist investigation before an arrest has been made. This is totally inappropriate.

I am asking you to commit, in the Attorney General's absence from the House, to having the Deputy Attorney General investigate the matter to see if any laws have been breached. Would you consider doing that, Deputy Premier?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Mr Speaker, I am going to refer that to the Minister of Public Safety and Security.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** This was not an unexpected question, given a query from the Globe and Mail earlier today. I'm sure the Globe and Mail has contacted the opposition parties to raise this in the House.

This is not a view shared by police services in this province or by Major-General Lewis MacKenzie. I believe, as do most Ontarians, that Canadians have a right to know. This is not a Liberal perspective, and we all understand that by viewing the activities in Ottawa. We believe that Canadians have a right to know about these sorts of situations.

This government is committed to public safety and public security. I want to say, with respect to this, that it was raised in the context of comments made by the Vice-President of the United States that a terrorist attack against the United States is inevitable and what our reaction in this province would be.

I will continue in the supplementary.

**Mr Bryant:** While I appreciate the words from the Minister of Public Safety and Security, we can't ask the minister to investigate himself. I want his name cleared. I want to ensure that no laws have been breached.

*Interjections.*

**Mr Bryant:** The government laughs. The government thinks this is funny. I am telling you that there is a serious concern that laws have been broken. You laughed when this same minister was found in violation of the Young Offenders Act. He is not infallible. I have laid a very serious allegation on the table. I have said there has been a breach of national security. I have said that in fact there has been surveillance—

**Hon Mr Runciman:** On a point of privilege, Mr Speaker: The member opposite said I was found in violation of the Young Offenders Act. Everyone in this House who has been paying attention for the last five years knows that is not true.

**Mr Bryant:** Everybody in this House understands that the minister—pardon me?

**The Speaker (Hon Gary Carr):** I apologize. I'm arguing with the House leader and I shouldn't be doing that. I will ignore him and listen to you. I apologize to the member.

**Mr Bryant:** Thank you. My question is this: Deputy Premier, will the government look into whether or not the Solicitor General has in fact broken any laws, yes or no?

**Hon Mr Runciman:** I think the member's failure to apologize is beneath contempt and shows disrespect, not just for me as a member of this Legislature, but for all of us as members of this assembly.

Ontarians and Canadians do not share the view of the Liberal Party of Ontario or the Liberal Party of Canada when it comes to security issues in this country. When the Vice-President of the United States says that a terrorist attack against the United States is inevitable, I think we should be making Canadians aware in terms of questions or issues of complacency in this country.

If indeed there is a terrorist attack against the United States and there are any clear linkages to this country, it could have a devastating impact on the economy of Ontario and the economy of Canada. We cannot be complacent. This government believes in public safety and public security and we believe in Canadians' right to know.

**Mr Bryant:** On a point of order, Mr Speaker: I would like to correct the record. In fact, the minister was investigated and cleared of any wrongdoing with respect to the Young Offenders Act. I did not mean to mislead the House and I apologize for doing so.

**The Speaker:** I thank the member. I know that's what he did mean.

#### MARRIAGE

**Mr Bob Wood (London West):** My question is to the Minister of Consumer and Business Services. Marriages in Ontario can currently be performed only by a minister of religion, a judge or a justice of the peace. The conduct of marriage ceremonies is not a core function of our judicial officers, and many judges and justices of the peace agree with this view. Surely the time has come to change the law to permit the appointment of civil marriage commissioners who would be authorized to perform



marriage ceremonies. This would result in better service to the public and will permit our judicial officers to concentrate on their core functions. Does the minister support changing the law to permit the appointment of civil marriage commissioners?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I want to commend the member for London West on his activity on this file, championing a policy view that he feels strongly about and, in addition, the member for Bruce-Grey-Owen Sound.

As was indicated by the member, currently the methods to solemnize marriage in Ontario are through religious services, a justice of the peace or a judge. In fact Bill 74, sponsored by the member for Bruce-Grey-Owen Sound and currently before the House, has been referred to the standing committee on justice and social policy.

To answer the member's question, the answer is no in terms of proceeding at this point in time with legislation from the ministry. If I look at some of the priorities that I want to bring forward as minister, in terms of promoting the Ontario wine industry, jobs and growth in that area, to the LCBO and allowing Europeans fair access to the grape and wine products of this province, in terms of moving forward with legislation to modernize consumer protection in this province in today's day and age, other issues like privacy are of a higher priority level for the ministry at this point in time.

**Mr Wood:** As members of the House will recall, I first raised this matter with one of the minister's predecessors a couple of years ago. I would hope the minister shares my view that if there's a good business case to do something, something should be done. I think it's fairly clear that there's a good business case to do this. It will save the government money and it will improve service for the people of this province. Could the minister share with us when he's going to take a definitive position on this issue?

**Hon Mr Hudak:** The position of the Ministry of Consumer and Business Services is not to proceed with legislation from the ministry. A private member's bill is before the House. Obviously, if passed by the assembly, we would implement that bill according to the wishes of the assembly. But if I look at some of the scope that has a broad-based impact across the province, the good things we can do through this ministry—consumer protection, working to protect privacy, especially personal health information, in Ontario as well as promoting the hospitality industry, the grape and wine industry in particular—those will be the first things out of the gate to build on the work of my predecessors.

In terms of the marriage ceremony, the solemnity and the decorum that are involved, it's a very sensitive issue with long traditions in Ontario. Before any action would take place, I think careful consideration of the matter and broad-based consultation are necessary. But in terms of the energies of this ministry and the staff of this ministry, we have other priorities that are moving forward at this point in time.

## YOUNG OFFENDER FACILITY

**Mr Peter Kormos (Niagara Centre):** I have a question to the Minister of Community, Family and Children's Services. You know that workers at Kennedy House Youth Services in Uxbridge have been locked out of their jobs for almost a year now. Kennedy House is supposed to house 80 young offenders, and until very recently it housed but 10; as of today it houses none. Yet in February of this year your colleague the Minister of Municipal Affairs and Housing told OPSEU members that full funding was still flowing through to Kennedy House. Our concern is that full funding continues to flow during a period of time when no young offenders are being housed. Why would you continue to provide funding for 80 offenders when the number is now zero?

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I thank my colleague across the way for the question. He will know that there are services offered at Kennedy House for managers and funding flows for that. With regard to other issues, though, at Kennedy House, because there is an ongoing investigation it would be inappropriate for me to discuss those matters.

1450

**Mr Kormos:** I'm interested in being told by the minister that there's an investigation ongoing. This, in and of itself, is news, and perhaps the minister would elaborate on the investigation that's being conducted.

Minister, once again, will you please tell us whether or not there are young offenders being housed, how many are being housed and whether or not full funding is flowing on a per capita basis for 80 young offenders when in fact there are none and when in effect what your ministry is doing is financing union-busting on the part of Kennedy House, financing strikebreaking by virtue of hiring scabs and ineptly handling taxpayers' funds when it comes to young offender facilities?

**Hon Mrs Elliott:** The member opposite would know that the ministry should not get involved in contract negotiations. Although the Kennedy House employees are on strike, indeed the managers are not.

## COMPETITIVE ELECTRICITY MARKET

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Energy. On May 17, Mark Garner, the director of licensing at the Ontario Energy Board, issued an updated bulletin to gas marketers and electricity retailers in Ontario. It's good news because the provincial regulator is strengthening or clarifying the regulatory controls around such issues as forgery, misrepresentation and other issues of consumer awareness. This, however, comes months after hundreds of thousands of Ontario consumers, many of them senior citizens, signed up with unscrupulous electricity marketers who have clearly ripped them off.

My question to the Minister of Energy is: notwithstanding the bulletin of May 17, 2002, on these matters,

what specific remediation is he as Minister of Energy for Ontario prepared to offer to all of those people in the past two years, prior to this bulletin, who did not have the benefit of this help and who have, in substantial numbers, been abused and ripped off?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The remediation's already in place. It exists today. The simple fact of the matter is if anyone feels they were abused or ripped off—and I'm not prepared to paint all retailers with the same brush. I think there are some out there that aren't operating fairly and the OEB is dealing with them, but the vast majority I think are. But let me be clear: the remediation already exists. If anyone feels or any of your constituents feel that they were taken advantage of or fraudulently led to believe certain terms and conditions about the contract, they may actually make application to the Ontario Energy Board.

**Mr Gerard Kennedy (Parkdale-High Park):** If they can get through on the phone.

**Hon Mr Stockwell:** Submit this complaint and the Ontario Energy Board will investigate and deal with that complaint. That is what they are there to do and that is what they have been doing.

**Mr Conway:** I agree that not all contracts are bad. We have roughly a million contracts in place. I'm guessing that about 200,000 of those contracts are grade A stinkers.

According to this bulletin, your own government has been seriously misrepresented by some of these marketers. Many people would take your advice; they would call the energy board. But as my friend Kennedy just intoned, and most of us who've had an experience in this connection in the last number of months could agree, how many constituents have said, "Try to call the energy board"? You can't get through. It takes days or weeks, and when you do get through you're told either directly or indirectly, "We are a very limited police force. We have very limited resources to do the job that's before us."

Question, Minister: given what has happened, are you prepared to allocate to this increasingly important but increasingly beleaguered provincial referee, the Ontario Energy Board, additional resources so that some of this outrageous and unscrupulous activity in the electricity marketplace, much of which is targeted at defenceless senior citizens, can be better policed by a more well-resourced police force, namely, the energy board?

**Hon Mr Stockwell:** I know Kennedy intoned the comment that was followed up by Conway, and I'm sure Kennedy and Conway may find that to be a good position to put out to the public. But what I have heard from the Ontario Energy Board is that they get requests to investigate and they investigate. If they come to me, I say to my friend Conway and my friend Kennedy—and I will intone this—and request more money to police, then yes, that's something this government would look at very seriously and, if necessary, would deliver.

But the fact remains that this is the same OEB that levied fines of \$56,000 on two retailers on April 26

because they investigated, because they found fraudulent behaviour and because we have given them enough money to do those kinds of investigations and levy those kinds of fines.

I say to the members opposite, including Kennedy and Conway, that if you have examples you need to have looked into, I suggest you bring them to the attention of the Ontario Energy Board, and if you have any difficulty, bring them to the Ministry of Energy office and we'll be happy to forward them for you. I have seen none. I have not seen one from my friends Kennedy or Conway.

#### CHILD CARE

**Mr Norm Miller (Parry Sound-Muskoka):** I have a question for the Minister of Community, Family and Children's Services. There has been a lot of media attention lately to do with child care. In my riding of Parry Sound-Muskoka, I have also been getting a lot of questions to do with child care from constituents. My constituents want to know if your ministry is planning on cutting \$200 million from child care.

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I'd like to address this question, because there has been some information going around lately and I want the opportunity to properly correct the record.

Last January at a news conference, Minister Baird responded to a document that was circulating in the public and stated very clearly that \$200 million would not be cut from child care. I'd like to quote that: "I made it very clear that it was not an option that I had ... seen, and that it was not something that was being considered. Furthermore, the Ontario government is not considering any plan to cut \$200 million from child care."

For the record, this minister supports that statement. When I refer to child care, I refer to informal and regulated child care. Our government has implemented many new initiatives to support child care. It's something we're proud of, and we know that parents in this province appreciate that.

**Mr Miller:** My constituents appreciate that reassurance.

Some of the concerns my constituents have been telling me about echo the report that was released in Toronto recently. They want to know why our government didn't invest the \$144 million from the federal government in child care services.

**Hon Mrs Elliott:** When the \$144 million was transferred to Ontario from the federal government, we had to decide how best we thought it would be directed to meet Ontario children's needs. Our decision was to try to direct those funds to the most vulnerable. So we targeted funding to things like autism.

We introduced the Ontario Early Years centres. I was just in the Oak Ridges moraine area today with my colleague Frank Klees. We opened one of the second phase of the Early Years centres, one of 61 that are about to be opened across the province—well received and an



excellent opportunity for parents to get information to help their children.

This year we are going to spend \$700 million to help parents with child care needs across this province. Some \$200 million of that will be directed exclusively to low- and modest-income parents through the Ontario child care supplement for working families.

That \$144 million is being spent—every penny of it—on programs for children who are most vulnerable here in this province.

## ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Ernie Parsons (Prince Edward-Hastings):** My question today is to the Minister of Citizenship. Ontarians with disabilities have searched hard and long for the new, wonderful, softer, kinder Premier. They have not yet found him. In fact, the search has been fruitless.

Since 1990, Ontarians with disabilities have received exactly the same number of dollars for their disability pension—not a penny more. While he was with Comsoc, Minister Baird and his staff on average, every month, billed the taxpayers \$930.95 for bar and restaurant tabs. An Ontarian on disabilities receiving the absolute maximum receives \$930 for accommodation, for food and for clothing. There's no money in there for restaurants. Your government jammed through the Ontarians with Disabilities Act in December. It was so urgent to get it through that there was very limited public consultation. Your wonderful clause on the parking fines was not proclaimed; 95% of that bill has not yet been proclaimed.

Minister, my question to you is, now that the public show is over, when will you proclaim the Ontarians with Disabilities Act?

1500

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I would like to thank the member for the question. The Ontario government is committed to fully proclaiming the Ontarians with Disabilities Act as soon as possible. We are committed to an Ontario where no new barriers are created and existing ones are removed, to ensure greater accessibility and enhanced independence for all persons with disabilities. We passed the legislation. Last December the government passed its Ontarians with Disabilities Act, Canada's most far-reaching and comprehensive legislation for disabled people. Key portions have been proclaimed. They were proclaimed in February 2002. We plan to proclaim the remaining sections of the act in the fall of this year.

**Mr Parsons:** In the fall of this year? What was the rush to get it through before Christmas, then? You have proclaimed the title, which was really what the object was, and you have proclaimed the portion allowing the minister to establish the Ontarians with disabilities Accessibility Advisory Council. Now, Minister Jackson made some commitments on that. He said that the disabled community would have input into the process.

They've not had that. You have appointed five Ontarians to that committee—great people, but very limited disabilities. You have not given them input into it. You have appointed zero women to the advisory committee—not one.

I'm asking you, Minister, if you will adhere to the commitments. You promised that you would put the disabled community in the driver's seat. They're still trying to hitchhike a ride on this vehicle. They've got lots of rhetoric. They need some action. Will you appoint a full cross-section of individuals and will you give the disabled community some input into it? At least keep your promise on that.

**Hon Mr DeFaria:** I again thank the member for his follow-up, but I reject the premise he puts forward. Complex pieces of legislation are often proclaimed in stages. We need to put the tools in place, the structures and all the necessary supports, such as the council and the Accessibility Directorate of Ontario. That's what we have done in the first phase we proclaimed. I recently announced the appointment of the chair, the vice-chair and three additional members of the Accessibility Advisory Council. Further appointments will be made shortly.

The legislation is the first in Canada to put persons with disabilities at the forefront of change, with their majority representation on the new council and on municipality advisory committees. The ODA is an important part of Ontarians' right to full accessibility, but it's not the only element. The act builds on an already multi-billion dollar annual commitment for people with disabilities and a strong government commitment to continue to move forward.

## PORTUGUESE CANADIAN COMMUNITY

**Mr Bert Johnson (Perth-Middlesex):** My question is also for the minister responsible for citizenship. As the first person of Portuguese descent to be named Minister of Citizenship, I know that you, Minister, have a special interest in Ontario's diverse population. Indeed, as you're fully aware, we have a significant community of Portuguese people in my hometown of Listowel. Would you please stand in your place today and outline for us what the government is doing to support these diverse communities in Ontario?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** Thank you for the question, especially coming from the member for Perth.

This government recognizes that cultural diversity is one of our province's greatest strengths. Ontario has welcomed approximately 120,000 immigrants each year for the last 10 years, more than half of all newcomers to Canada. This government has always been interested in reaching out to our new communities in the province. The government recognizes the benefits of our diversity, both culturally and economically. Ontario will always be a province where proud and productive people from every culture, every religion, every race and every coun-

try will be welcome. Ontario is a land of opportunity, and our government will ensure that it continues to be so.

**Mr Johnson:** As you mentioned, every year we welcome many newcomers to our province. You will recall the background that I gave you on Mr Joe Borges from the Listowel area, who for quite a few years was responsible for having the only bullfights in Canada, in and near Listowel. Unfortunately, other problems have devolved. He used to fly matadors and horses in from both California and Lisbon, Portugal. I think it was the quarantine on the horses that were particularly—for those who don't know, I also wanted to explain that the Portuguese method of bullfighting does not harm the bull. They have collars with Velcro for it, and they don't injure the animal at all.

Minister, you mentioned that Ontario communities are welcoming. What has the province done to create a more welcoming environment for these newcomers?

**Hon Mr DeFaria:** I appreciate the question, especially coming from a member who is so involved with not only the Portuguese community but also with cattle and horses and is very interested in that issue. I am very pleased to say that this province is committed to ensuring that Ontario continues to be a welcoming province. Creating an environment where all Ontarians can participate fully strengthens our ability to compete globally. Ontario provides assistance to newcomers from many government sources, totalling \$50 million per year. The \$3.9 million invested in the newcomer settlement program funds more than 80 community agencies that provide settlement services. The Ministry of Training, Colleges and Universities spends more than \$6 million a year—

**The Speaker (Hon Gary Carr):** The minister's time is up. New question.

#### SAFE DRINKING WATER LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. Earlier in question period I asked you six fairly basic questions about your government's willingness to protect our province's drinking water. They weren't deep, philosophical questions; they're fairly basic if you're really serious about protecting drinking water.

Now I'm going to tell you where those questions came from. They come from part two of the Walkerton inquiry. Every one of those questions I asked you is a recommendation of Mr Justice O'Connor. Recommendation 67: "The provincial government should enact a Safe Drinking Water Act." Recommendation 72: "The provincial government should create an office of Chief Inspector-Drinking Water Systems." Recommendation 75: "The Ministry of the Environment should increase its commitment to strict enforcement of all regulations and provisions related to the safety of drinking water." Recommendation 78: "The provincial government should ensure that programs relating to the safety of drinking water are adequately funded." Recommendation 80: "The drinking water branch should prepare an annual 'State of On-

tario's Drinking Water Report,' which should be tabled in the Legislature." Recommendation 11: "The Ministry of the Environment should take the lead role in regulating the potential impacts of farm activities on drinking water sources."

Those are all recommendations from Mr Justice O'Connor from part two of his report. Are you prepared to implement them?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** In response to the leader of the third party, we have not yet seen part two of the report on Walkerton. I can tell you, however, that we are looking forward to reviewing it and very carefully considering all of the recommendations within the report.

1510

#### BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

Monday afternoon's business is still to be determined. On Monday evening we'll begin second reading on Bill 135.

Tuesday afternoon will be the NDP opposition day. On Tuesday evening we'll be debating Bill 135.

Wednesday afternoon's business is still to be determined. On Wednesday evening we will be debating Bill 135.

On Thursday morning, during private members' business, we will discuss ballot item 45, standing in the name of Ms Martel, and ballot item 46, standing in the name of Mr Wood.

Thursday afternoon's business is still to be determined.

#### PETITIONS

##### POST-SECONDARY EDUCATION FUNDING

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Might I suggest to the government House leader that when you're doing that, I think it's a very useful thing to have just a brief identification of the legislation for those of us who are sitting here.

I'm very pleased, under petitions today, to present a petition gathered together by Abram Taylor and signed by over 100 students of a great high school, Madawaska Valley District High School, in the great county of Renfrew. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, do petition the Legislature as follows:

"Whereas average tuition fees in Ontario are the second-highest in Canada; and



"Whereas average undergraduate tuition fees in Ontario have more than doubled in the past 10 years; and

"Whereas tuition fees for deregulated programs have, in certain cases, doubled and tripled; and

"Whereas Statistics Canada has documented a link between increasing tuition fees and diminishing access to post-secondary education; and

"Whereas four other provincial governments have taken a leadership role by freezing and reducing tuition fees;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to:

"Freeze tuition fees for all programs at their current levels, and

"Take steps to reduce the tuition fees of all graduate programs, post-diploma programs and professional programs for which tuition fees have been deregulated since 1998."

As I said earlier, this petition is signed by over 100 young people from Barry's Bay, Killaloe, Round Lake Centre and Palmer Rapids. I'm very pleased to present this petition on their behalf.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislature of Ontario:

"Whereas the Conservative government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by the provincial government; and

"Whereas due to this funding shortfall, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are mostly in home-making services, forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the care services they need."

This is signed by a number of constituents, primarily from a community in my riding, Atikokan. I affix my signature as I'm in agreement with their concerns.

#### PROVINCE OF ONTARIO SAVINGS OFFICE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

"Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

"Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

"Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

"Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario's crumbling infrastructure after years of Tory neglect;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To save the people's bank, the Province of Ontario Savings Office, so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go further afield for banking services and forced to go to private, for-profit banks."

I agree with the petitioners, and I have affixed my signature to this.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** I have a petition sent to me by the Alzheimer's Society of Thunder Bay, and I am very grateful they have. I am pleased to read their petition.

"To the Legislative Assembly of Ontario:

"Whereas people with Alzheimer's disease deserve to have equal access to the full range of drugs, including Reminyl; and

"Whereas Reminyl has been proven to be a viable alternative to Aricept and Exelon and will provide an alternative for people for whom the other two other drugs are not a good therapeutic choice; and

"Whereas there is a need to broaden the choice of therapeutic alternatives for persons with Alzheimer's disease; and

"Whereas without coverage under the Ontario drug benefit plan, many people for whom Reminyl is the most appropriate therapeutic choice will not be able to afford this drug;

"Therefore, we, the undersigned citizens of Ontario and residents of northwestern Ontario, petition the Legislative Assembly as follows:

"To add Reminyl to the Ontario Drug Benefit Formulary at the earliest possible opportunity."

It's signed by hundreds of my constituents and residents in northwestern Ontario, and I'm very pleased to sign this petition.

#### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** A petition to the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserved area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

Because I think this is a very good initiative, I happily affix my signature to the petition.

#### PROFESSIONAL LEARNING

**Mr Tony Ruprecht (Davenport):** I have a petition from one of our great high schools in Davenport riding, St Mary's Secondary School. It reads as follows, addressed to the Legislative Assembly of Ontario:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

Since I am very much in favour of this petition, I put my signature to this document.

#### HYDRO ONE

**Mr Michael Gravelle (Thunder Bay-Superior North):** "To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I'm very pleased to sign my name to that petition.

1520

#### COMPETITIVE ELECTRICITY MARKET

**Mr Tony Ruprecht (Davenport):** I have a petition that is signed by a number of persons on this controversial issue of the selling of Hydro One. It reads as follows:

"To the Parliament of Ontario:

"We, the undersigned residents of Toronto, demand that the government immediately stop the process of privatizing our electricity transmission system, the network of steel towers, transformers and wooden poles which transmit power from generation plants to our homes, and further to postpone the electricity deregulation process until the Ontario public is given proof that privatization will not result in price increases, and place a moratorium on any further retailing of electricity until the Ontario Energy Board comes up with a standard contract to be used by all retailers; and

"That a standard contract spell out in clear terms that the residential users are waiving their rights to future rebates in exchange for fixed rates over a specified period of time."

Since I am very much in favour of this petition, I am proud to put my name to it.

#### SOCIAL AUDIT

**Mr Michael Gravelle (Thunder Bay-Superior North):** "Whereas the Mike Harris government has undertaken a massive reform of the way social service programs are managed and delivered in the province; and

"Whereas the government's language, actions and policies over the last six years have reinforced the worst kind of stereotypes about people on social assistance without offering Ontarians any proof that the policies



they've put in place are meeting the needs of those whose circumstances have forced them to seek temporary assistance from Ontario's social safety net; and

"Whereas this government, when challenged on how well their Ontario Works programs are working, points to welfare caseload numbers as their one and only measurement of success or failure; and

"Whereas a social audit would determine how this government's policies are impacting on low-income children and families and allow for enhancements to improve the well-being, employability and economic security of individuals and families in need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to demand that the government of Ontario conduct a social audit of the Ontario Works program."

I am in full agreement with this and I am pleased to add my name to the signatures on the petition.

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** "Whereas the objective of the Ontario disability support plan is to eliminate the stigma of 'welfare' and provide income support to meet the needs of persons with disabilities; and

"Whereas our province will benefit from supporting and encouraging the employment of persons with disabilities; and

"Whereas the present ODSP maximum monthly allowance of \$930 per month for a single person fails to meet basic living requirements; and

"Whereas a person in receipt of ODSP is allowed to earn only \$1,920 per year of employment income without penalty, and

"Whereas this government has made ODSP a barrier to independence for persons with disabilities,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to bring forward meaningful financial improvements to the ODSP, which will include as a minimum a fair and reasonable cost of living."

This comes from Ms Isabel Graham in Toronto. I am very pleased to sign this on behalf of those who have signed this petition.

### POST-SECONDARY EDUCATION

**Mr Dwight Duncan (Windsor-St Clair):** On behalf of the students at Herman Secondary School in Windsor, Ontario, I am pleased to present the following petition to the Legislative Assembly of Ontario:

"Whereas the secondary students in the city of Windsor believe that the new curriculum is poor because it makes classes too difficult and students are dropping out because their grades are going down;

"Whereas OAC has been taken away, leaving students to prepare themselves for post-secondary studies;

"Whereas students believe that adding grade 7 and 8 students to secondary schools will overcrowd those schools;

"Whereas students believe that the French immersion program should continue;

"Whereas there is a lack of funding for textbooks and other important educational resources;

"Therefore we, the undersigned, demand that the Ernie Eves government review the policies adopted by Mike Harris and make the proper management and funding of education a priority."

I am proud to join the students at Herman Secondary School in affixing my signature to this petition.

### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Legislative Assembly of Ontario and it's entitled: "Listen, Our Hearing is Important!

"Whereas services delimited by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

Of course I affix my signature to this petition.

### HOME CARE

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government, through the Ministry of Health and Long-Term Care, is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing community care access centres to make deep cuts in home

care services without any policy direction from the provincial government;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to community care access centres to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs."

Of course I again affix my signature to this excellent petition.

## ORDERS OF THE DAY

### THRONE SPEECH DEBATE

Resuming the debate adjourned on May 22, 2002, on the amendment to the amendment to the motion for an address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session.

**The Acting Speaker (Mr Bert Johnson):** You will recall that we left off last night at nearly 6 o'clock. The speakers for the Liberal caucus had completed their time, but we didn't have questions and comments and of course their response, so we will do that now. We'll go in rotation. I invite someone from the New Democratic caucus for questions and comments.

I invite questions and comments.

**Mr John O'Toole (Durham):** As I recall—I did attend all of yesterday's sitting in the House—we were discussing the throne speech. I had the opportunity to speak and represent my constituents' concerns, of the riding of Durham. But I sense the tone that I was hearing from the other side is that they don't see the optimism, that the government is trying to encourage the people of Ontario to look hopefully to the future. The opposition, even in these most balanced of debates, fails to support any initiative of the government, whether it's new funding announced by the Minister of Education for education, whether it's new funding announced for family health networks, for health care generally or whether it's the commitment made by the government to consult thoroughly on the difficult issues of the day, primarily the Hydro One component.

What I'm asking to hear today in some of their empty rhetoric are some solid suggestions to help this province move forward to be a better place for all Ontarians. Take the politics out of it sometimes. With respect, there are a couple of members here from the Liberals and a couple from the NDP who will probably take their Thursday to spend time and represent their constituents thoroughly.

But I'm anxious to hear the content of their communications today and respect the opportunity that our new Premier, Ernie Eves, has offered: a much more open and consultative approach to working together to solve the problems, and that includes all levels of government—the federal Liberal government and the municipal levels of government, whether it's on transportation issues, environmental issues or the Walkerton issue. I think there is a real willingness.

This is a leap of faith, I know, for the opposition. They criticize continuously and rigorously, with no thought given, in many cases, to the substance of what they are saying.

1530

**The Acting Speaker:** Comments and questions.

**Mr Rick Bartolucci (Sudbury):** I want to thank my fellow colleagues, the member from Kingston and the Islands, the member from Windsor-St Clair and the member from Don Valley East, for their excellent presentation last evening. They certainly articulated clearly what ordinary Ontarians are saying across this province. Whether they are from northern Ontario, eastern Ontario, southern Ontario or western Ontario, the people across this province are saying that this throne speech was a lot of bluster and very little substance.

The people of Ontario wanted direction. The member for Windsor-St Clair offered that direction when he talked about doctor shortages. The member from Kingston and the Islands talked about that when he spoke about the plight of those people requiring home care services and the devastation this government is wreaking upon those people—vulnerable seniors who have for their entire lives paid their dues, paid their taxes. The only thing they expected was that in the dawning years of their life they would have confidence in the health care system, and they don't.

The member from Don Valley East articulated very clearly the critical need for housing, the critical need to be compassionate, to understand that the people of Ontario have distinct needs that aren't being addressed by this government and certainly weren't addressed in the speech from the throne.

I commend the members from Windsor-St Clair, Don Valley East and Kingston and the Islands because they spoke for the people of Ontario, they articulated the needs of the people of Ontario, and now all they are asking is that you meet the needs of our fellow Ontarians.

**Mr Michael Prue (Beaches-East York):** I let it pass the first round because I did not have the privilege of being here last night, but I did listen to the comments of the last two members and I think I can understand what some of the debate was about.

I want to tell you that in this House—and I agreed when they talked about bluster and little substance—there is often very much bluster. If I had been here last night to hear the speeches, I think I would have been very appreciative of at least two of the speakers in terms of what they had to talk about.



The first one was about the CCACs and the very difficult time they are having around this province, with a definite lack of funding. It's not so much that the funding has been decreased—because numbers are being played with here. It's not so much that the numbers are being decreased in any budgetary sense, but how much they are actually being allowed to spend has gone down. Certainly we have seen the travail, the difficulty of people in this province who are taken out of the hospital, who are going home and who have been unable to find appropriate care.

I think we were all very moved in this province in the last couple of days with the secret video that was shot at a Toronto homeless shelter. People were living side by side in unsanitary conditions. People were living side by side with coughing and the potential of tuberculosis. People were living side by side, where diseases like scabies and lice can be transmitted. All of us in this room must be committed to doing something about that.

The speakers who spoke last night must have touched on these issues. I commend them for doing it, and I would ask the government bench opposite to start thinking about the social costs of some of the things you have done in the past. If this is indeed a new government, it's time to make a fresh start, looking at these and doing it right.

**The Acting Speaker:** The member's time has expired.

**Mr Garfield Dunlop (Simcoe North):** I too was not party to the discussion by the member for Windsor-St Clair, so I didn't hear all his comments. But I did want to make a couple of brief comments on the throne speech, which I've been getting a lot of positive feedback on in my riding, particularly from my municipal colleagues in the municipalities I represent on the opportunity bonds.

This seems to be one of the most positive approaches to looking at long-term investments, long-term infrastructure projects for municipalities. It's an opportunity for municipalities to do something very innovative that the Municipal Act allows them to do. I know we had a lot of discussion on the new Municipal Act last fall, and municipalities asked for that power. They want to do some innovative thinking on their own without the province looking over their shoulders.

Certainly in my riding—in the city of Orillia, in the towns of Midland and Penetanguishene, and in all the townships I represent—there's very positive feedback, particularly when it comes to sewer and water expansion, long-term projects for the growth areas of our province. Of course we haven't introduced the legislation yet, but I look forward to the legislation being introduced in this House and for the opportunity for municipalities, not only in my riding but right across the province, to take advantage of the Ontario opportunity bonds that will be part of that legislation.

**The Acting Speaker:** The member for Windsor-St Clair has two minutes to respond.

**Mr Dwight Duncan (Windsor-St Clair):** I thank all the members who participated.

To conclude, it's the view of the official opposition that this throne speech really does nothing. There are

several reannouncements and there's a little bit of good news in certain areas, but by and large it's nothing, just as we've sat for two weeks now and had no legislation.

I do want to say that Dalton McGuinty and the Ontario Liberals have offered real and meaningful alternatives in the areas of health care, education and hydro. We have put forward ideas that will carry the day in the next general election. Only Dalton McGuinty and the Liberals are looking to the future and are going to build for the future.

This government is wrapped up in the morass of Ontario Hydro and can't figure its way out of that. We've had no legislation, no opportunity to debate the really meaningful issues of the day. We challenge the government: lay out your plans, tell us what you're going to do. All we've heard is different signals from different ministers on very significant issues.

**Mr Bartolucci:** A lot of bluster.

**Mr Duncan:** That's a very good way of putting it: a lot of bluster.

As I conclude my opportunity to address this speech from the throne, I say to the people of Ontario that Dalton McGuinty and the Ontario Liberals have laid out significant plans in the areas of education, health care, hydro and how we ought to be doing business in this province. This government is tired, stale, divided among itself and can't get its act together.

On the hydro question, let us know what you're going to do before you bring in the legislation. If you decide to privatize Hydro One, call a general election before you do that and let the people have a real say. This throne speech is a disaster. It's one of the worst throne speeches ever seen in this House.

**The Acting Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I've certainly been anxious to have an opportunity to address this first speech from the throne under the Ernie Eves government. It's a government that we are rapidly realizing is building on past accomplishments while paving the way for responsive, common sense administration in the months and certainly the years to come.

I will be focusing my remarks on some of the health priorities outlined in the budget. The member opposite made mention of some of the good news in the speech from the throne, and some of that good news does lie within the realm of health care.

1540

However, further to the issue of health care, there is some bad news. I wish to begin by saying that over the last seven years our government has been forced to step into the breach and fill some gaping funding holes left in the wake of federal government decisions. These are decisions that, from my perspective, virtually abandon health obligations to Ontario and other provinces across the Dominion.

Despite this federal abandonment of health, I'm proud to say that our provincial government continues to work to ensure quality, accessible health care for all. Again, despite the downward spiral federal funding has taken,

our provincial government has increased Ontario's health budget to \$23.7 billion a year—that's billion with a "b"—far above the \$17.4 billion a year that we promised to spend on health every year when we were first elected in 1995. By the way, that \$23.7 billion eats up about 37% of Ontario's annual budget, again despite the federal government turning a deaf ear to provincial requests to meet its obligation to Canadians and restore federal funding to pre-1995 levels.

Our provincial government has moved forward, and here's an example of some of the good news the Liberal member made reference to opposite: we have expanded nurse practitioner programs—these were announced in the throne speech—to respond in large part to concerns around physician shortages.

Despite the federal government turning its back on health, our provincial government continues to consult with people, work with stakeholders and implement the necessary changes to provide our people in Ontario with the best health care system their tax dollars can buy. That would be a world-class system that is both proactive and responsive to the health care needs of all Ontarians.

Our goal from the beginning was to build a health care system that is better for everyone—for people's parents, for their children, their children's children. From the beginning we have moved with the needs of people. We have changed old systems to meet future needs and needs that are becoming clearly apparent as we continue in the 21st century.

Our government recognizes that Ontarians place an enormous value on their publicly funded health system. We also recognize that if that system is going to be there for Ontarians tomorrow, and for days and years to follow, more needs to be done to make our current system even better.

I submit that the health details included in the throne speech closely follow the road map for change that has provided and will continue to provide necessary improvements to our health care system. As reported in the throne speech, our government will find more innovative ways to not only deliver but to expand diagnostic and treatment procedures and services so they are more accessible to all.

All Ontarians, no matter where they live, obviously want to have health care close to home, and regrettably today in our province there remain many people who don't have doctors, communities that are underserved. Families in many, many communities urgently need more physicians. Ontario has moved to address this problem, for example, by helping to pay the tuition of doctors who choose to locate in areas that need doctors. There is more to do, and more is being done, as we know from this throne speech.

Our government will work with the health care community in Ontario to encourage more foreign-trained doctors to locate in underserved areas and increase the certification rate of these skilled individuals.

Family health networks designed to increase access to service are another important part of the government's

plan, and 14 pilot projects are now underway around Ontario. The government's target is to have 80% of eligible family physicians practising in these networks.

One important component of family health networks—a component that is valued by many people in Ontario—is the concept of nurse practitioner. This was mentioned in the throne speech. Our government will work to break down some of the barriers faced by nurse practitioners. Our government will more than double the number of nurse practitioners, but will also expand their role to include, for example, long-term-care facilities, community health centres and emergency rooms. Nurse practitioners will continue to be encouraged to work in communities that have been without physicians for an extended period of time.

It's also important to note that just a few weeks ago our Minister of Health and Long-Term Care announced \$3 million in projects that would see 12 communities—and these are communities that have not had adequate physician coverage for an extended period of time—receive care from nurse practitioners.

Back in March 1999, the Minister of Health announced \$10 million to support 106 full-time-equivalent nurse practitioner positions in underserved areas, in aboriginal health access centres and long-term-care facilities. Also, because of government funding increases, we now see 5,600 more nurses working in 2000 compared to the year 1999. That's more nurses than in any of the previous 10 years. Also, in 2000, the highest number of new nursing graduates entered the profession.

Over the past year or so, I've continued to meet locally in my riding with West Haldimand Hospital and area physicians to discuss doctor shortages; more recently, for example, a meeting at the Caledonia chamber of commerce on this issue.

As for doctor shortages in the neighbouring county of Norfolk, we have plans for a community health centre in Delhi. It's modelled on a very successful centre in Norwich, just to the north of my riding.

These centres are seen not only as a way to recruit physicians but also as an additional weapon in the arsenal to enhance economic development in small communities. Very recently, I sat down with the Delhi Kinsmen Club to help with planning of this ambitious project.

Locally, in my riding, many will remember the work that we did five or six years ago to designate Port Rowan and the old township of Norfolk as underserved. This was the first such designation in southern Ontario. I know Minister Wilson, the health minister at the time, will recall—I think we had to use forms from northern Ontario to introduce this first such designation in the southern part of our province.

There are benefits, obviously, for an underserved designation. These would include a listing on the Ontario Medical Association job registry, reimbursement of travel costs for not only prospective physicians but for their spouses to visit an area, an invitation to the Ministry of Health recruitment tour and, if time has gone by without successfully recruiting a physician, a \$15,000 incentive grant.



We all recognize that an adequate supply and distribution of physicians is needed to meet the needs of our communities across the province. That's why the Ontario government has introduced additional initiatives to access doctors' particular interests locally.

The Ontario taxpayer now provides up to \$40,000 in tuition and location incentives for new medical graduates if they commit to practise in an underserved area. Last year, the government funded an increase in medical school enrolment of 30% and also expanded the number of licences for foreign-trained doctors. Last fall, we announced the establishment of two rural training networks in southern Ontario and, as well, 25 new training positions to increase the number of physicians in rural Ontario.

The Ontario government's locum program assists northern and rural communities by providing temporary medical services and reimbursement of physicians' travel and accommodation costs. In addition, physicians are given \$71-an-hour sessional fees where necessary to work nights, weekends or holidays in some of our emergency departments that may have difficulty with staffing.

1550

As part of the 2000 agreement with the Ontario Medical Association, the Minister of Health has established a clinical clerkship program for third- and fourth-year students. This is a program for students studying in any of the five medical schools for clerkships in rural and northern areas.

We know that in the year 2000 Ontario had 20,370 doctors. This is an increase of 2.8% over 1995. I will say the overall supply of physicians per capita declined slightly, from 18.1 to 17.5 physicians for every 10,000 residents. The number of female physicians has increased by almost 17%; male physicians, a decline of 2%.

I still hear comments about doctors fleeing to the States. However, in the year 2000—we have stats—148 physicians moved abroad and 122 physicians returned, for a net migration of 26, or only 0.1% of all active physicians—hardly a stampede, as described by some.

This winter and this spring, I have spent a number of days door-knocking. The conversation often turns to health care and what's needed to improve it. Often mentioned, certainly in my riding: the need for more doctors, more nurses and more money. People continue to tell me, and I've been hearing this for a number of years, "If you're going to spend my tax money on anything, spend it on health." That's exactly what we've been doing, the top priority for this government, to the tune of an extra \$6 billion a year.

Ontario's health budget has now climbed to \$23.7 billion a year—as I've mentioned, far above the \$17.4 billion we originally committed to when we were first elected in 1995. And \$23.7 billion for health amounts to 37% of the provincial budget. But a serious problem remains. This is part of the bad news that comes along with the good news that was mentioned opposite, and that is that the federal government is not paying its fair share. In fact, federal Liberals have cut health spending

since 1995. Federal transfers to the provinces for health and social services this year will be \$400 million lower than in 1994.

As I think we all are aware, when medicare was introduced, Ottawa and the provinces agreed to share health care costs on a 50-50 basis. But over the years, the federal government dropped their 50% support down to 10%. It's now at what I consider a mere 14%, leaving the provinces to foot 86% of the cost. Regrettably, the last federal budget put no new dollars into the health system, despite massive increases in spending.

As former Premier Harris stated at that time, the federal Liberals have shortchanged our health care system and are "the single greatest threat to universal medicare in this country today." He went on to say, "When the bill arrives, Ottawa excuses itself from the table to go to the washroom, leaving the provinces to pick up the tab."

People in Ontario deserve the best health care system their money can buy. Unfortunately, people are not going to get the best system until the federal government begins to pull its weight. Unless Ottawa does pony up its fair share for health care, in my view, the prognosis is less than good. Plainly put, if our health care system is to meet the demands of a population that we all realize is growing, a population that is aging, if our health care system is to offer us the life-saving advances that I feel we deserve, the federal government must start paying its fair share. If it doesn't, the provinces will have some very difficult choices to make.

With its huge budget surplus, Ottawa can afford to do the right thing. It's only fair that the federal government spend some of the surplus on safeguarding people's health. After all, it is certainly people's money in overpayment of taxes that has created that federal surplus. The federal government must make health care funding their number one priority. I refer to an Ipsos-Reid poll which indicated that 82% of people wished to see increased federal health spending. With all the money that taxpayers pay to all levels of government, there clearly should be enough resources to ensure a level of health care that meets Canadians' needs regardless of where they live.

We know Canada's Premiers are committed to ensuring that this will occur. Every province and territory is committed to the principles of medicare. Every Canadian must be able to access this vital public service regardless of their income, regardless of where they live in the Dominion of Canada. But it's not going to be possible, really, for provinces and territories to fund these ongoing increases, these very significant increases in health care costs, while the federal government's share of health spending continues to decline.

Last summer, people in Haldimand, Norfolk and Brant as well as across the province were given an opportunity to have their say on the current state of health care in Ontario. This was referred to as the dialogue on health opinion survey, which asked people to tell the provincial government how they would rate their health care system

and where they think improvements could be made. The overwhelming response indicated what we've been saying all along: health care is the number one priority. Unfortunately, health care is not as high a priority for the federal government. As I mentioned, the 50-50 funding formula has degenerated to an imbalance of 86-14, with the federal share at 14 cents on the dollar. Again, as Premier Harris indicated, federal Liberals are the single greatest threat to universal medicare in the country today.

While these costs are rising and the population is aging, the provinces can't wait for the Romanow report, in my opinion, and neither can the citizens of Canada. They need the federal government to begin paying its fair share. This winter, the Ministry of Health released the results of the opinion survey that was conducted last summer—extensive public consultations with thousands of Ontarians. A majority of Ontarians—77%, actually—rated our health care system as good to fair.

Just to wrap up, I'll highlight four themes that really came through in the results of this survey. A majority of Ontarians revealed that major improvements are being requested of our government in four priority areas: (1) to increase the number of doctors and nurses in the system, (2) to reduce waiting lists, (3) to provide improved access to early diagnostic tools to catch illnesses earlier, and (4) to refocus the health care system to help keep people well in the first place. Obviously, more work needs to be done with respect to not only disease prevention but health promotion and wellness.

We have the results of these surveys. We have these opinions. People in Ontario have spoken loud and clear. People in Ontario want accessibility, they want accountability in their health care system and they clearly want efficiency.

The survey goes on to identify some problems of, as mentioned, rude staff, for example, and unfriendly service, but by and large there was overwhelming support for staff and personnel and for the administration of our health care system.

I thank you for the time.

**The Acting Speaker:** Comments and questions?

**Mr Prue:** I listened and I have to tell you that I agreed with some of the things you said and some I did not. Let's deal with the ones I agreed with.

You spoke long and eloquently on how the federal government has downgraded medicare in the last number of years. I think with that there can be no disagreement. Monies that have been given to the province have been steadily declining, not just since the election of the Conservative government but even before then. They were declining back in the early 1990s and have continued to decline, I think, to somewhat disastrous levels. There needs to be a recognition, not only in this House but in Ottawa and indeed amongst all the parties in Ottawa, and I don't blame just the governing party; I blame the others too—perhaps not my own. The other ones have not been putting the same kind of priority on medicare as they have on a number of other issues, everything from the country's safety to the armed forces

to other laudable goals. But medicare has been left out of the equation. I think that is well said and needs to be said in this House.

1600

Having said that, I think the government of Ontario needs to shoulder some of the blame for what has happened with doctors and nursing in this province. You talked about the disincentives for foreign-trained doctors. I have to tell you that in this province we have an abysmal record on the assessment and equivalency of all foreign-trained professionals. It takes far too long—a year or two or three—for people to jump through the hoops to get their training recognized in any number of disciplines, including the medical one. This province needs to do more in getting that equivalency up to standard. That is a goal we can do that would ensure there are more doctors and more nurse practitioners from foreign countries available than anything else. We should be doing that and it should be in your budget.

**Mr Bart Maves (Niagara Falls):** I want to congratulate the member from Haldimand-Norfolk-Brant. Every time he rises to speak in the Legislature, he's someone who's very well prepared and has thought through his comments before he rises to speak in the Legislature. Today was no exception.

He specifically talked in part of his remarks about health care and the desire of people around the province to see an increase in the number of doctors and nurses in the system. One of the areas that the throne speech indeed spoke very clearly about was that we want to double the number of nurse practitioners in the province. Nurse practitioners are something this government has implemented over the past few years. We said we'd start out with I believe 109 nurse practitioners across the province and we've done that. Those nurse practitioners have been extremely well received throughout the province no matter where they are, whether it be within doctors' offices, where there are doctors who form group practices in our primary care reform, or whether it be in more remote areas where nurse practitioners are able to take up some of the slack where we don't have enough doctors. They've been extremely well received. The throne speech talked about doubling their numbers. I know that will be well received throughout the province. It will be well received in areas like Haldimand-Norfolk-Brant and across the province.

He also, again, squarely laid the blame for some of the health care woes across this country at the doorstep of the federal government, which is also what every Premier of every province in this country has been doing for several years. There's only one level of government that has continued to reduce health care funding, and that is the federal Liberals'.

**Mr Joseph Cordiano (York South-Weston):** The members opposite on the government benches would have everyone believe that somehow the state of the health care system in this province and across this great country of ours has been badly damaged as a result of the lack of funding from the federal government. I would



remind members of this House that over the past seven years that this government has been in power, they have increased substantially the accumulated debt of this province to the tune of \$20 billion. As a result, not only have they done that, but at the same time they've been reducing taxes in the billions of dollars.

You can't have it both ways. You can't say, "We don't have enough money for health care because the federal government hasn't been making those transfer payments." In fact, the federal government has increased its funding for health care over the last number of years, therefore trying to restore levels of funding that used to be in place.

What has happened in the last number of years is that this government continues to erode the quality of health care across this province. What do they do? They announce the possible new construction of privatized hospitals: "Bring in the private sector to solve these problems." But that isn't the problem. At first this government attempted to restructure health care by closing down hospitals; now they want to rebuild hospitals, as is the case in my riding.

Well, which one is it going to be? You're either saving money because you're closing down hospitals or you're going to build new hospitals. They can't make up their minds because they haven't got a clue. At the end of the day what people realize is that there are fewer services in each of these communities that are affected, fewer doctors, more underserved areas across this province than ever before.

This government has completely mismanaged the health care system in this province.

**Ms Shelley Martel (Nickel Belt):** I wanted to just deal with the remarks made by the member with respect to nurse practitioners, because the throne speech said that the government would double the number of nurse practitioners working in the province of Ontario and gave us no indication as to when that would happen. That should be of concern to everyone in this place, because there are now 268 nurse practitioners who have graduated in the province of Ontario who are unemployed or underemployed and are not in a position to use their skills for the benefit of people in the province.

The throne speech only talked about the minister's announcement the day before, where he said that \$3 million would be allocated to hire about 20 nurse practitioners to work in underserved areas, and he called those a pilot demonstration. That is an insult to nurse practitioners, who have a scope of practice that has been legislated and who do not, quite frankly, have to be part of any demonstration project to prove their skills.

The Registered Nurses Association of Ontario has had a proposal in before the Ministry of Health for over three years now for the minister to find a compensation scheme so that nurse practitioners can work with—not for—family physicians, especially in underserved areas to deal with the many, many communities that are lacking physicians now.

What is the government's response after three years? A pathetic \$3 million for 20 nurse practitioners to work

in 12 underserved communities as a demonstration. If you're going to double the number of nurse practitioners working in the province—and goodness knows we need their skills and expertise—then I sure hope there's some kind of statement in the budget about that, because the throne speech was very, very short on how you're going to get there.

**The Acting Speaker:** The member for Haldimand-Norfolk-Brant has two minutes to respond.

**Mr Barrett:** I appreciate the comments from the member from Beaches-East York. I concur with respect to the federal funding. It goes back further than this government's era. I was not elected during the NDP era, but I certainly recall media reports and reports from Premier Rae at the time of the squeeze that they were in and the lack of support from Ottawa.

I concur, again, as an MPP for a rural riding, and to hear comments from a large urban riding with respect to accreditation of foreign physicians. Foreign physicians I feel are very well received and certainly needed in northern Ontario and in rural Ontario. Anything we can do to speed that process along and to eliminate any unnecessary barriers to bringing foreign physicians on deck—by the same token, and raised by the member from Nickel Belt, any barriers to enhanced use of nurse practitioners—nurse practitioners, again, was addressed by the member from Niagara Falls. I have experience in my local area and on the Six Nations reserve, where a nurse practitioner role has worked out very well. I sincerely hope there are no long-term problems or turf battles between nurse practitioners and physicians.

The member for York South-Weston addressed the issue of the lack of funding by the federal government. We may differ on the extent of that. I do want to make something very, very clear. He raised the issue of tax cuts. After seven years, I would not think anyone would argue that tax cuts certainly create jobs.

1610

**The Acting Speaker:** Further debate?

**Mr Dominic Agostino (Hamilton East):** I'm going to share my time with the member for York South-Weston.

I stand, in the few minutes I have, to talk about the throne speech. A throne speech tends to set out the direction of a government: where they plan to take this province, what actions they plan to take and how they're going to get there.

When you look at the throne speech, what astonished me the most is that it followed shortly after a very divisive, nasty, ugly leadership campaign. This government has probably given us more commercials to run a campaign than we could have produced on our own, with their attacking each other and telling us how bad each of the candidates would be for Ontario.

I want to give you an example of that. I read a comment by John Baird, the government whip now, who was the Minister of Community and Social Services at that time. He said, about his confidence in Ernie Eves to lead this province, "When I looked up on the stage, I saw only one person who looked like a Premier and that was Jim

Flaherty." I hope he has come to terms with that. Clearly he agrees with us that Ernie Eves is not the man to be Premier of Ontario.

His good friend and my friend the minister Tim Hudak said, "Only one candidate tonight showed a clear vision, a vision based on ideas and the courage to stand behind them"—from a Flaherty press release of January 17, 2002.

We see two cabinet ministers who have joined the opposition in clearly saying that Ernie Eves does not have what it takes to be Premier of Ontario.

#### *Interjections.*

**Mr Agostino:** These are not my quotes. My Tory friends across the floor are getting excited and heckling. They are not my quotes; they're quotes from Tory members, and there were many more like them during the leadership campaign. They were your comments, not mine. If you look at the throne speech, they are right. Both John Baird and Tim Hudak are right.

Look at the direction Ernie Eves has set. He said he wants to be different. This is a different style of government. This is a warm and fuzzy, reach out and embrace, group hug, "Let's get along and reach out to everybody we've been on for seven years" style of government. He had a perfect opportunity to do that in the throne speech. Ernie Eves had a perfect opportunity to show us that he's different from Mike Harris. He could have said in the throne speech, "I'm going to back away from that ridiculous decision to sell Hydro One." He could have said, "I'm not going to sell the hydro transmission corridor and grid in Ontario, because we don't believe that's in the public interest." He chose not to do that.

Our position on that has been very clear. We believe, first of all, that there should be competition in the generation of hydro. Unlike the NDP, that wants to continue to hide under the apron of Mother Hydro and that ran up those debts in those years, we believe there is room for competition in the generation of hydro. But we believe that the transmission grid, the heart and soul of our energy in this province, should remain in public hands. The government doesn't. Mike Harris and Ernie Eves are the same. They both believe we should sell Hydro One to the highest bidder, to their corporate friends, and lose any control of our energy in Ontario.

This government had a choice. Ernie Eves could have said, "I'm different from Mike Harris." Ernie Eves could have said, "I'm going to get rid of the private school funding announced by Mike Harris." He said a couple of times during the leadership, "Do you think it was a good idea?" I guess Mike talked to him, straightened him out and told him, "Hey, follow the line here. Do as I tell you to do. Don't back away from private school funding."

Dalton McGuinty and the Liberals have made it clear that we believe it's wrong to take \$500 million out of our public school system and put it into private schools. If we form the next government, we're going to revoke that, we're going to change that and we're going to put that money into the public schools in Ontario. Ernie Eves could have made that same decision in the throne speech; he chose not to.

Ernie Eves could have chosen to move away from this obsession with bringing us a corporate tax rate that is substantially lower than most of our bordering states, at a cost of \$2.2 billion. Dalton McGuinty and the Liberals believe we need to be competitive. We need to be competitive with Michigan, New York, Pennsylvania and Ohio when it comes to corporate tax rates. But being competitive does not mean we have to be 25% below them in a race to the bottom.

Ernie Eves could have made that same decision. Ernie Eves could have said, "I'm going to scrap the \$2.2-billion corporate giveaway and put that money into health care, education and the environment." But he chose not to do that, because his friends on Bay Street who sent him here with marching orders would not allow it. Remember, this is a Bay Street banker. His friends on Bay Street will not allow him to go back on that decision. He could have made it very, very clear that he wasn't going to follow the \$2.2-billion corporate tax cut that Mike Harris set, but Ernie Eves chose not to.

Ernie Eves talked about sending a message to labour: "We want to work with you." He wanted his minister to meet and work with labour leaders. Ernie Eves could have made some substantial choices in that throne speech of his. He could have said, "I'm going to roll back and reverse these draconian, 1900-style labour laws," that he brought in. He could have said, "I'm going to roll back the 60-hour workweek," that puts us on par with many Third World countries. He could have said, "I'm going to fix the overtime provisions," that basically shaft working people out of overtime. He could have said, "I'm going to restore balance, so people and companies that want to unionize have an opportunity to be on a level playing field with the corporations that are opposed to that," unlike the balance he has taken away in his legislation.

When you look at the issue of health care, we continue on that same path. Hospitals across this province continue to accumulate debt, not because of running a poor system, but because they're not getting enough money from the province, and they have to make choices. These choices are either to provide the very essential services that health care and a hospital are supposed to, and if they do they run into debt; or cut those services, and then Ontarians suffer and pay the price. The hospitals have made the right choice and decided that although they are going to run into debt, they are going to continue to provide many of those essential services. But we've heard very little from this government.

They announced a token amount for textbooks, when most schools tell you it's not even enough. They haven't announced a cent for capital repairs to older schools. I have schools in my riding where the teachers have to move the desks when it rains so the kids don't get wet. Today in the city of Hamilton, and I'm sure in many other places across Ontario, I have schools where two to three kids have to share textbooks, and where textbooks are falling apart.

That is the reality of Ontario today under Mike Harris and Ernie Eves. Make no distinction; they are the same,



the same policies, the same philosophies. The throne speech did absolutely nothing to convince Ontarians that they're different. Let's remember that the man who is sitting in the Premier's chair today was the finance minister who was next to Mike Harris when every one of these decisions were made that now he says, "Maybe we need to review and look at them." He was there when they made the cuts to health care. He was there when they made the cuts to education. He was there when they made the cuts to the Ministry of the Environment.

In the first Walkerton report, it was made clear that this government must share part of the blame for what happened in Walkerton because of the cuts to the Ministry of the Environment. Frankly, Ernie Eves was the man with the knife who made those cuts. He can't run away from that, and we're not going to let him run away from that. As much as he wants to sugar-coat this new government of his and move a few ministers around and pretend he's reaching out and talking to people and pretend he wants to undo the damage, people are not going to be fooled. This is the same government—the same style, the same folks. Most of the cabinet that is there today was there when Mike Harris was Premier.

Clearly this throne speech showed us that this is a government with no vision. This is a government that has lost its way. This is a government that has no agenda. We have sat here for two weeks, after being out of the House for six months, and not one new piece of legislation has been introduced. There's no indication of what legislation they're going to bring forward. This is a government that is just biding its time to get out for the summer and try to reorganize, try to talk to their pollsters, talk to their American consultants, talk to their American friends and somehow try to find a way.

But it's too late. Ontarians have seen what Ernie Eves is all about; they've seen what Mike Harris is all about. They've seen this is a government that is not going to change. Clearly, we're going to continue to hound these guys everywhere on every issue and make sure Ontarians understand and see clearly that Dalton McGuinty is the man who is fit to be Premier of Ontario and, as John Baird and Tim Hudak have said, Ernie Eves is not.

1620

**Mr Cordiano:** I am delighted to speak on this throne speech. When I sat here and listened to this throne speech the very day it was read, it sounded eerily familiar. It sounded as if I was listening to—I go back to the days of minority government when we were in power and Frank Miller was in the death throes of his last few months in office and they came out with a throne speech that was nothing short of a deathbed repentance. That's what this speech reminds me of. It's an attempt by this new Premier, who is a new Premier but the same old Ernie Eves who was the finance minister—let's not be deceived by that—and the same group of people who were in power under Mike Harris. It's the very same government, the same people. The players have not changed.

Nor have they changed their direction. This document, which attempted to be a deathbed repentance, this throne

speech, is riddled with, "Well, we're trying to change our direction because we understand that the wind is blowing in a new direction and Ontarians may want a kinder, gentler government and style of leadership. The rancour and acrimony that existed under Mike Harris will be no more."

I say to Ontarians, don't be deceived by what this government is suggesting. The words are fine words but they're nothing but words. There's no meaning in those words because when you examine the document it simply doesn't hold up. There's no substance there to indicate there's a bold new era, as this government would have us believe. They talk about a new era for Ontario.

It goes on in the throne speech to say, "The actions your government took over the past seven years were right for the times." It goes on to talk about how there are new challenges. Frankly, there's nothing to substantiate that this government will make those changes, and in just a moment I will get to the record of this government and what's missing in this document.

They go on to talk about the number of challenges they're going to face, but you know what? Interspersed is the language that harkens back to the old days of the Common Sense Revolution. They don't go so far as to say that the government needs to be in the game; they're still talking about government being on the sidelines. I quote from the throne speech: "Responsible government knows its place. It understands where it does not belong and is prepared to get out of the way." It's still the language of the Common Sense Revolution interwoven into this document. You need to look a little closer but it's still there. Nothing will have changed.

When we talk about education, I want to read a report that was issued by the Toronto Dominion Bank economics department just yesterday, on May 22. This is a scathing report. You have to listen to this. It was an indictment. It says this is what needs to be done and these are some of the serious challenges that are facing the greater Toronto area in this province of ours. It says, "A number of repairs are needed to keep the GTA locomotive running at full steam.

"Despite robust population and employment growths, real income per capita in the GTA area has fallen further behind that in the United States, with the shortfall now measuring nearly 30%."

It goes on to talk about Ontario's place with respect to productivity: "Among provinces and states with more than six million people, Ontario placed 13th out of 16 in terms of relative labour productivity, and results for the GTA are likely similar." Thirteenth out of 16 states in terms of relative labour productivity.

It goes on to talk about how the "reductions in real public spending on post-secondary education in Ontario have compromised the GTA's ability to produce the workers needed in a knowledge-based economy." A scathing indictment of this government's lack of support for post-secondary education funding.

I quote from the report as it goes on: "The infrastructure to support the GTA's growth is not being put in

place. In many areas, proper maintenance is not even being done. On the transportation front, this increases gridlock on GTA roads and highways, threatens the effectiveness of public transit, cuts into productivity and limits the pace at which the GTA's exports to the United States and the rest of Canada can grow."

That's just a scathing indictment of this government's failure to keep us competitive, and yet what does this government have us believe? That all they simply have to do is cut taxes 25% below those of other jurisdictions that surround us and we're competitive.

It's not good enough, my friends, and the bank's report—this is a bank on Bay Street, by the way—supports that view. It's simply not enough. We're not being competitive enough. We're not investing in the kind of infrastructure we need to invest in. There is gridlock that is taking hold of our entire GTA area. It is unproductive. We're not investing in high-knowledge infrastructure for post-secondary institutions and therefore we're not making gains in terms of productivity. That is quite an indictment. As the bank's report points out, we are falling almost 30% behind the United States in terms of productivity and real income growth.

I say to the government, this throne speech which talks about education says very little in terms of the kinds of investments we need to make that the bank has spoken about. It does not talk about new funding sources for our post-secondary institutions. It does not talk about the kinds of investments we need to make in our health care infrastructure to ensure that we still have an accessible system. This government continues to talk about the fact that Ottawa is to blame for all of this. In the face of—

**Mr Dunlop:** It's \$20 billion, Joe.

**Mr Cordiano:** You have to take some of the blame. The simple fact is you cut taxes, the government has less revenue. The government has less revenue, the government can't support the hospitals and the health care system that you talk about. If you want to continue to have accessibility in our system, then you need to support the infrastructure that's there. In my own community, this government rushed to close down Northwestern General Hospital. What did it do? It closed down the emergency services of that hospital, it closed down the hospital, and that put an incredible strain on the other hospitals in the area. The Humber River Regional Hospital is on critical care bypass more often than any other hospital in the GTA, and that's as a direct result of shutting down that emergency service at Northwestern.

That is a terrible predicament for the people of my community. What's the government's solution? They don't really have one yet because they haven't made an announcement, but the president of the hospital, Rueben Devlin, wants a new hospital to be built. The Toronto District Health Council recommends building a new hospital because it will adversely affect accessibility for the constituents of my riding to that hospital.

We're left in limbo without the proper services, without the resources that are necessary for people to have good quality health care and access to that health

care. This government mismanages health care and then blames the federal government. It isn't just about money, as I'm proving. It's about mismanaging the resources that are there as well. I have to say that if you keep cutting taxes—again, you've done a good job of that over the last seven years, and I take nothing away from you, but it has resulted in longer waits at hospitals, longer waits for surgeries and less accessibility to the health care that people need. That's the price we've had to pay.

In this throne speech nothing addresses that. My good friend and colleague from Sudbury was talking about nurse—

**Ms Martel:** Nickel Belt.

**Mr Cordiano:** Nickel Belt, sorry; I always remember Sudbury as your home—nurse practitioners, announcing a pilot project. It's pathetic. We need a huge number of additional resources to deal with the problems that we see in our health care system. The throne speech would have been the right time to make that announcement, signalling to the public that this government and this new Premier intend to go in an entirely new direction.

Yet that isn't the case here. That is not the case. The soundings that are made to the public want to speak to a kinder, gentler government, a new style of governance. When you read between the lines, you scratch a little below the surface, you recognize that it's the same old bunch that is in power and the same kinds of people are making the decisions as made them before.

1630

**The Acting Speaker:** The member's time has expired. Comments and questions?

**Mr Prue:** We had two speakers who spoke fundamentally differently and I'd like to speak mostly about—

**Mr Wayne Wettlaufer (Kitchener Centre):** Because they're Liberals. They want it both ways.

**Mr Prue:** That's exactly what I was going to say. Although I agreed with most of their comments, I want to speak mostly about the member from Hamilton, Mr Agostino, because he was talking about Hydro, which is something, I think, dear to New Democrats' hearts. I was reminded, in listening to him, of an old movie called *Dr Doolittle*, because he epitomized the animal in there called the Pushme-Pullyu. For those who don't remember the movie, it was an animal with two heads, and both heads were trying to go in opposite directions all the time on the same issues. I heard, and I think I need to speak to this, the Liberal position on Hydro. I agree with one half of it, but not the other. I find it absolutely strange that they would agree with the privatization of the people who are going out to sell this door-to-door.

**Mr Cordiano:** Competition, we said.

**Mr Prue:** Competition, yes, with the questionable sales records that are involved, especially today, when a member of the caucus stood up and asked the Minister of Energy and berated him about those very practices and about those very people and what the Minister of Energy was going to do about it. I have to say I find a position attacking the government on this one during question



period and then telling the government that they're doing it right in this particular session to be a little bit strange.

Having said that, I listened as well to the second speaker. He did have one good sentence, which was the "deathbed repentance." I think I will use that in some future speech because to me this is very much like what happened in the Miller government in the last few days when a government completely changes direction.

**Mr Dunlop:** It's a pleasure to stand and say a few words on the two speakers from the Liberal Party. There's so much rhetoric here it's hard to know where to begin.

First of all, let's go back to health care. The one party that has failed to fight for health care funding from the federal government is the Ontario Liberal Party. We all know it's at least \$1 billion that the federal government is shorting the province of Ontario. If it was just the province of Ontario, that would be one thing, but it's every province and the three territories in the country of Canada. They're all being shorted. You've heard of the problems in Nova Scotia, you've heard of them in Alberta, you've heard of them in BC and you've heard of them in Ontario. At least Mike Harris and Ernie Eves fought for the money. Dalton McGuinty has done nothing.

What Dalton McGuinty has done, as we heard in the so-called platform speech that Mr Agostino presented, is that he's gone around making between \$9 billion and \$12 billion in promises to people across this province. What he has failed to tell them is where he's going to find the money. He will not tell that. We know where the NDP come from. They're just going to add taxes on to your property tax. But Dalton McGuinty has failed to tell the public. For example, is it higher taxes? We know that he voted against all the 166 tax cuts. We know he'll probably go into deficit spending. We have just balanced the budget three years in a row. He'll increase taxes. Those are the three options to come up with Dalton McGuinty's \$12-billion promises that he's flip-flopped around the province speaking on.

Finally, on Ontario Hydro and Hydro deregulation and privatization, we know where the NDP stands. They're against everything on it. No one knows where these people stand. You don't have a clue on deregulation or privatization. We don't know where you stand. You haven't made a commitment and you haven't got a platform on it.

**Mr Michael Gravelle (Thunder Bay-Superior North):** I want to compliment my two colleagues who spoke this afternoon, the member for York South-Weston and the member for Hamilton East, who indeed are very passionate members of our caucus and spoke in that manner.

I may respond to the member for Simcoe to some degree as well right now. Certainly the one party that's very, very clearly distorting everybody's issue on Hydro One is the Conservatives themselves. The fact is that this is a government that presumably is going to now bring forward enabling legislation, with all the options written

down there, and then will decide, sometime when we're off for a summer break—something we probably shouldn't even have—what they're going to do. I think it's unbelievable that they can actually stand up and say they will attempt to get away with that kind of a piece of legislation. That's intolerable.

In terms of the throne speech, it's easy to put some words down on paper, it's easy to be described as a kinder, gentler government, but there really is no evidence in the throne speech of any real substance. Actually, my colleague from York South-Weston was particularly keen on pointing that out. That's it: beneath the surface, where is the real assistance to those people most in need? Where is the assistance to the health care system and to the education system? You can't just use words to do it.

I will get an opportunity to say a few more words later this afternoon and I'll look forward to that opportunity. The bottom line is that ultimately you are judged by what you leave out of the throne speech as well. There are enormous numbers of areas of extraordinary importance to every one of the members in this House and every one of their constituents that were not mentioned at all in this throne speech. I think that is extremely telling. When you see what's not there, when you see no discussion of home care at all, a part of the health care sector that has been just decimated tragically—long-term care as well is a tragedy in that regard. So I'll look forward to it.

I compliment my colleagues for speaking out so strongly.

**Ms Martel:** I think I want to follow up on the comments made by the member for Hamilton East speaking of Hydro. I find it hard to listen to him say his party is in favour of the door-to-door stuff, that competition, but, by God, are they ever opposed to the sale of Hydro One and are they ever going to do something about it. What a flip-flop.

On December 12, Louise Elliott for CP wrote a great story, the headline of which is, "Ontario Privatizes Hydro One, Sets Deregulation Date for Electricity Market." It goes on to talk about the government's announcement that day of their intention to sell Hydro One. What did Dalton McGuinty say to Louise Elliott about the sale of Hydro One? Here it is on page 3 of the transcript: "Liberal leader Dalton McGuinty said privatizing the company was the right move, but should have been done following an open debate in the Legislature." Now we've had these guys standing here in their place over the last two weeks trying to pretend that they are somehow against the sale of Hydro One. This is what their leader said on December 12, 2001, five short months ago. Let me repeat it, because it's such a good quote: "Liberal leader Dalton McGuinty said privatizing the company was the right move, but should have been done following an open debate in the Legislature." Well, we're going to get that debate, I think.

I'm going to be interested in seeing how Mr McGuinty votes on the privatization of Hydro One. I am going to be watching to see what the Liberal leader is going to do. Is

he going to stand in his place and do like he said he was going to on December 12, which was support the privatization, or is he going to flip-flop, flip-flop some more and this time decide to oppose it because he knows the majority of Ontarians are against it? It's going to be interesting to watch that vote.

**The Acting Speaker:** The member for York South-Weston has two minutes to respond.

**Mr Cordiano:** All I can say with regard to this throne speech is that it's not only a deathbed repentance; I would say this is a government that is going to govern by stealth. They're really not going to tell us what they're going to do.

You talk about flip-flops. Where is this government's position when it comes to Hydro? One minute they're selling it; the next they don't know. They're going to have an income trust. They're all over the road map. We don't know what they intend to do.

*Interjections.*

**Mr Cordiano:** We're clearly on the record with respect to what we intend to do, but we're not the government. You're the government, so what's really interesting is your position.

You've pulled it back and you want to consult. That's because you realized that you were making a colossal political mistake and your very political lives depended on it. So you've pulled back from the brink.

That's the new style of governance: govern by stealth. You don't really know what direction you're going in because you've got to figure out which way the wind is blowing. That's the new style of governance.

1640

I've got to say this: Mike Harris used to tell it like it was. You knew the direction he was going in. You all had your marching orders and you used to follow them. I gave him some credit for that. At least he stood in his place and you knew where he was coming from and you knew the direction he was going in. I didn't agree with it. With this new leadership, you don't know where you're going. You haven't got a clue. You haven't got a clue and you're just making it up as you go along each and every day. The script depends on which way the wind is blowing. I've got to tell you, gentlemen and ladies, there is a lack of direction, a lack of conviction, and this is certainly a government that hasn't made up its mind when it comes to Hydro. Talk about flip-flops; that's the biggest flip-flop we've seen thus far.

**The Acting Speaker:** I just wanted to remind you that we go in rotation for speaking and only one person has the floor at a time. Those of you who are tempted to speak out of order, I would remind you that there is another place and you can either go there on your own or I'll help you.

Further debate.

**Ms Martel:** I'm going to be splitting the time with my colleague from Beaches-East York. I'd like to speak about Hydro, and maybe I'll have a chance to do that, but, as critic, I should probably just focus my remarks in

the time that I have on health care. There are essentially two issues I want to deal with.

The first has to do with the government's announcement in the throne speech that the province is eager to move toward multi-year base funding for the hospitals, which, as you would know, the Ontario Hospital Association has for a long time been calling on the government to do. That would make a great deal of sense because in terms of planning and in terms of acquisition of technology, capital etc, it is true that the hospital association really does need to be able to project two and three years in advance (a) what they think the demand is going to be, (b) what the costs will be to meet that demand and (c) to be able to get some commitment from the government of the day that that money will be in place to respond to those concerns.

What worried me about the announcement in the throne speech, however, was the tie to the federal government with respect to this announcement. I think I should just read this into the record. Page 13 says the following: "Ontario is eager to move toward multi-year base funding for our hospitals. This funding model allows hospitals to better plan around the needs of their communities and those who need care. As it moves toward its goal of multi-year base funding, Ontario needs the federal government's partnership in health care." My question to the government is, does that mean if you don't get partnership and resources from the federal government, you will not be moving to multi-year funding? I think the Ontario Hospital Association deserves a response with respect to that very important question.

I raise that because if you look at the situation of Ontario hospitals, they are hitting a financial crunch. They are up against the fiscal wall. This is an article in the Toronto Star dated May 8, 2002, where the Ontario Hospital Association acknowledged that "more than 60 of the province's 160 hospitals are still carrying deficits totalling more than \$300 million from the fiscal year that ended March 31," and further that "they need an additional \$600 million to \$700 million if they are going to be able to continue providing the same level of service for the remainder of the current fiscal year." That's an additional \$600 million to \$700 million over the base budgets that are already in place. That is a serious financial issue indeed. While the government talks about moving to multi-year funding to provide some stability, the tie to the federal government leaves me very concerned, because the fact of the matter is this government is right to criticize the federal Liberals for their lack of commitment to health care spending.

This is a report that was provided to me by the Ontario Hospital Association. It was done for them by TEAQ Associates. It's called *Getting the Right Balance: A Review of Federal-Provincial Fiscal Relations and the Funding of Public Services*. It was done in December 2001. This is what it says with respect to federal transfers to provinces:

"In addition, with federal health care funding not keeping pace with provincial spending on health care, the



federal share of total provincial health care spending declined from 16.9% in 1992-93 to 12.9% in 2000-01."

Secondly, appendix table 4, which is attached, looks specifically at the pattern of federal transfers to provinces for health on a cash as well as a cash-and-tax basis over the past decade. In 1992-93, the federal share on a cash basis stood at 16% of total public sector expenditures and at 24% of insured health care expenditures, including tax transfers. These shares stood at 29% and 43% respectively. Across the board, the shares fell to a trough in 1998-99 before recovering in 2000-01. Except for the share of cash-and-tax transfers as a percentage of insured expenditures, the other three measures still remain below their 1992-93 levels. It is very clear from the work that was done by this group on behalf of the Ontario Hospital Association that there is a significant problem with the feds coming to the table and anteing up the money necessary to deal with health care in the provinces.

Having said that, the provincial government has a lot to answer for as well, because the same report takes a look at provincial funding to hospitals as a percentage of GDP and notes that between 1992 and 1993, Ontario transfers to hospitals stood the third-lowest in the country. If you look at the appendix table 15 that is attached, it shows that in 1992-93 the provincial transfer as a percentage of GDP to hospitals was 3%. In 2000-01, it's down to 2.5%. It's very hard for the provincial government to point fingers at the federal government with respect to health care funding when the fact of the matter remains that the provincial funding to hospitals has dropped since 1992 as a percentage of GDP.

I say to the government, if you're going to try to have the federal government be a more equal partner in terms of hospital funding in particular, in order to achieve the results of multi-year hospital funding, then this government has to stop diverting important dollars going to corporate tax cuts and redirect that back into important social services like health care, education and community-based services. Ontario will not have a leg to stand on in terms of trying to get the feds on board to increase funding to hospitals, especially on a multi-year basis, if Ontario doesn't start to increase its share of GDP that goes to hospitals.

It will be interesting, as the next number of weeks unfold, to determine what the link is between multi-year funding and the federal government, and whether Ontario is going to continue to move toward multi-year funding of hospitals if it doesn't have the federal government on board in a more significant way than the feds have been to date. If Ontario's trying to get the feds on board, what is Ontario going to do to divert some of the money that is now going to corporate tax cuts and have that go back into hospital funding?

The second issue I want to deal with has to do with nurse practitioners. I mentioned this a little bit earlier in a response to another member, but I just wanted to expand on it a little bit more. The throne speech says that the government intends to double the number of nurse practitioners practising in the province and gives absolutely

no timeline or date for that to happen. The sad reality is that if you look at the statistics from the underserved area program publicized by the Ministry of Health, you will see that the number of communities, both in the north and in the south, that require physicians has grown dramatically. The Registered Nurses Association of Ontario had a proposal in at least three years ago to the Ministry of Health to put forward a compensation scheme that would allow them to work with physicians in underserved areas to try and deal with that shortage and to try and deal with more patients.

If you look at the UAP statistics from January to March 2002, 33 communities in the north needed 116 doctors and 82 communities in the south needed 427 doctors. In the most recent listing, from April to June 2002, 36 communities in the north need 114 doctors and 79 in the south need 400. If you compare that to 1995, when we left office, there were only 60 communities that needed 77 doctors in total. We have a very significant doctor shortage problem, and nurse practitioners have an important role to play in dealing with that situation. They are fully qualified within their own scope of practice to work with physicians to deal with the less complicated cases while physicians deal with the more complicated cases involving patients coming through the door. Yet even after three years, the government has done virtually nothing to put in place a compensation scheme so that nurse practitioners can work with physicians in their offices.

**1650**

The announcement the minister made last week that there will be 20 nurse practitioners working in 12 underserved communities at a cost of \$3 million is pathetic. It is an insult to nurse practitioners. We have 268 nurse practitioners now who have graduated, who are unemployed or underemployed, and this government has done absolutely nothing to find a way to incorporate their skills and expertise in the health care system, especially in those underserved areas, many, many of which could use their expertise and skills.

It was interesting that the government in the announcement regarding nurse practitioners also said that they wanted to find a role for nurse practitioners to work in community health centres. Well, if the government wants to do that, the government's going to have to take the freeze off the budget of community health centres, which has been in place under this government since it was elected in 1995. We cannot hire more nurse practitioners in community health centres until this government starts to increase the funding for the community health centre program. In that respect, it's interesting to note that the Association of Community Health Centres of Ontario has had a proposal in to this government since about October 2000 that outlines 80 communities that are in a position to go forward with a community health centre; 80 communities, many of them in underserved areas, that have put a proposal in, that are prepared to develop community health centres where doctors, nurses, nurse practitioners and other health care professionals

would be attracted to come and work over the long term. This government has sat on that proposal since that time, the fall of 2000.

If the government is serious, as it says it is in the throne speech, about increasing the role of nurse practitioners in community health centres, then this government should fund that proposal and do it now. We know that community health centres have a proven track record with respect to recruitment and retention, with respect to health promotion and treatment, with respect to the use of salaries versus fee-for-service. If the government really wants to incorporate the skills of nurse practitioners, then the government would lift the freeze and fund that important proposal.

**Mr Prue:** I'd like to speak to the government and talk to the government about the throne speech and what I think is not in it, is not in the throne speech. What is not in the throne speech in any considerable detail and what needs to be spelled out is what this government plans to do with the towns and cities, the 480 or so of them that currently exist in the province of Ontario.

There were some things in the throne speech about transit. There were a few minor sentences about housing and a few other things, but there was no concerted overall plan regarding what to do with cities. I think that has been a failure of this throne speech and perhaps a failure of the government in general for the last seven years.

A lot of things have changed in the last seven years. We need to understand, all of us, what is happening worldwide with the dynamics of urbanization. We are, in this world, and particularly in this province, becoming more and more urbanized. Some 80% of the people of Ontario now live in towns and cities; only 20% live on farms and in rural and northern areas.

It is not to the country that people are being attracted; in fact, the country population and the northern population in the last census clearly have gone down. It is to the cities that people are gravitating. It is to the cities that people are moving. It is to the cities that newcomers and immigrants are coming.

It is the cities that are having the dynamic economic stimulus of this country and this province. To put it in hockey terms so the members opposite might understand this a little better, this isn't Canada playing the United States at the Olympic gold medals any more; this is cities playing each other. This is Toronto versus Ottawa, Toronto versus Montreal, Toronto versus Cleveland or Chicago. That's what it is. That's what the dynamic of today is.

This throne speech has not dealt with those problems. This throne speech has paid lip service to housing. To the homeless there was nary a mention. All of us, as I said earlier today, have been caught up with the problems in Toronto and elsewhere of people living side by side in all of the inhuman and inhumane conditions, living side by side with the prospects of disease and mental breakdowns.

This throne speech has said very little or nothing about the plight of tenants in Ontario's largest cities—Toronto,

Ottawa, Hamilton, Kitchener-Waterloo and London—where the vacancy rates are below 2% or 1%, where people are struggling to find apartments, where decontrols are causing rents to go beyond the ability of people to pay, and when they can't pay, they're being forced into eviction and the cycle of homelessness begins. There is nothing in the throne speech that speaks to this.

There is nothing in the throne speech that speaks to new housing. Although I was heartened to read in the paper today that there is a glimmer of hope coming out of Ottawa, that the minister is at last talking about housing, it is a pathetic response to an overwhelming need in this province.

There is very little to talk about brownfields cleanup in the cities.

There is very little to talk about gridlock and how this government is going to assist the hundreds of thousands of commuters who make their way in and out of the largest cities of the province each and every day. There is very little funding for transit. Although I am thankful that there is at last a little bit of transit money flowing into places like Ottawa, Toronto and Hamilton, it is woefully inadequate and will be woefully inadequate in the long term.

There is nothing being said here about the problems associated with immigration. Immigration is a wonderful thing for this country and this province, but Ontario is the only province in this country that has yet to sign an accord with the federal government. In the absence of that accord, is it any wonder that we are underfunded by the federal government and receive half of the immigrants but way less than 40% of the resources to deal with them? Is it any wonder that Quebec, which went first into its own grid and has its own immigration program, receives the lion's share of federal monies for new immigrants?

Is it any wonder that this province has such a woeful record in dealing with new immigrants and their qualifications? Engineers, doctors, nurses, chiropractors, chiropractors, people who come from other countries with credentials and hope and a gleam in their eye, wanting to participate in the economy and help the people of this province, have to wait months or years, and in some cases are never able to receive accreditation or even get the equivalency marks they need to start in school and start again. Of all places in Canada, I think Ontario has an obligation, in taking so many immigrants, to do something and do it right. We have failed to do that.

The reality is that 80% of us now live in cities. The reality is that cities are the centres of our arts and culture. The reality is that they are the repositories of our architecture, our history and our heritage. Everybody seems to understand this except the government opposite in its throne speech.

Over the last few months, I have seen the Toronto Star write a huge series of articles and the Globe and Mail write a series of articles, the Association of Muni-



cipalities of Ontario has been advocating for a new deal for cities, the Federation of Canadian Municipalities has been in the paper almost every day talking about what the cities need, the banks are in on it—TD released something yesterday—and yet there is very little in this throne speech about where this government wants to take our cities.

A few months ago, after I had only been here a couple of months, I helped to co-author and write a report called *A Brighter Idea for Ontario's Cities*. It contains 67 recommendations on what would make urban Ontario a better place for the 80% of citizens who live there. Hopefully, along with my colleagues, I'm going to be working on another one for the rural areas and for northern Ontario.

For the 80%, it recognizes two principles. The first principle is that cities must have autonomy. Cities are not and cannot any longer afford to be the children of the provinces. They can no longer afford to be the children of this province. They need autonomy. They are mature urban areas. In the case of the GTA, it has some 4.6 million people, and I think there are 21 cities within that area. They have expertise to do wonderful work.

**1700**

The second thing cities need is a secure form of revenue. There was nothing in the throne speech about a permanent transfer of monies to go along with the responsibilities cities have been given in the whole downloading exercise over the last number of years. We are proposing that cities get a permanent source of revenue, everything from two cents on the gas tax to build new homes and an additional two cents from the gas tax to build transit and roads, to money taken from the land transfer tax—which goes directly to the Ontario government for no purpose I can see other than general revenue—to be spent on what it is rightly taken for, and that is to improve the housing in municipal areas we all rely on. That is some \$500 million or \$600 million per year, and it should be going to the cities so they can build necessary housing, so we do not have to see the plight of the homeless in the video we saw, so we don't have to see waiting lists up to seven years to get assisted housing in Toronto, so we don't have to see waiting lists of 14 years to get a three-bedroom apartment for someone who has children, so we don't have to see waiting lists of eight years for senior citizens in Toronto, Ottawa and London trying to get into senior citizens' housing.

We need a new plan, and I believe that plan belongs to the municipalities, who are closest to the people and who understand what they need. I think that is the most serious problem with the throne speech. I would hope the government addresses that in the coming weeks and months. It doesn't have to be in the throne speech to be in the budget. Please start to think about the plight of the 80% of Ontarians who live in our cities.

**The Acting Speaker:** Comments and questions?

**Mr Agostino:** I certainly was listening, here and in my office, to the comments of the two members of the NDP. I found it quite interesting that in their previous

responses they usually spent most of their time attacking the Liberals. It's almost like there's a pact between Ernie Eves and Howard Hampton to kind of help each other out through the whole election campaign. I find it interesting that they can't understand you can have competition on the generation side with strong regulations to protect consumers. It seems like a bizarre idea to a party that has not had a new idea in 20 years.

Remember, this is a party that says, "Elect us. We're going to change this. We're going to take Hydro One back. We're going to reverse the competition that's going to occur." This is the same party that, when it got elected to power in 1990, first of all was in charge of what turned out to be the biggest economic fiasco and downturn in the history of this province. This is a party that promised public auto insurance when they got elected and then folded immediately after coming to power. This is a party that pretended to support working men and women, and the only government in the history of Ontario that reopened and scrapped negotiated contracts. It was not a Conservative government or a Liberal government; it was an NDP government. Then they want you to believe them, a party that has no credibility left in this province.

Now they want you to believe they're credible on Hydro. They're not credible on anything any more. Regardless of the by-elections you talk about, Ontarians in the last three years have given this party 4% and 5% of support. This is a party that has not had a new idea in 20 years, has no vision, has no direction, is not going anywhere, and Hydro is an absolutely perfect example. They just want to hide under the apron strings of Mother Hydro. When they were in power, there were massive hydro rate increases, massive debt increases, and they're going to promise you more of the same. We don't believe them; most Ontarians don't believe them.

**Mrs Margaret Marland (Mississauga South):** That's quite a little rant that the member for Hamilton—

**Mr Agostino:** Thank you, Margaret. I feel better now.

**Mrs Marland:** I guess it does make you feel better, but it's really a shame to attack the real underdog. I mean, there are only nine members.

**Mr Agostino:** You guys are friends.

**Mrs Marland:** That's right. We never formed a government with them the way your party did in 1985, as some of us recall—hardly fondly.

In speaking to the concerns of the member for Beaches-East York, when you're talking about what concerns you—and I realize that coming from a municipal background you have certain priorities you probably have been working on for a long time, through more than one government, I believe, in your case. You were elected as a councillor for some time.

I think it's very fair pool for us to come into the Legislature and we are expected to continue those battles on behalf of our constituents. So I understand where you're coming from, but I think you really do have to study the record of this government over the last seven years. Having sat through your party as government for five years, I know very well that we were in such a state

seven years ago that you would be here in the House today with more complaints than ever if we hadn't been able to exact some of the remedies that we have for the people of this province.

**Mr Gravelle:** I'm glad to have an opportunity to respond to the remarks made by the members for Nickel Belt and Beaches-East York. I won't try to compete with my colleague from Hamilton East, who made some very strong remarks, and very important ones to make in terms of a party that seems more focused, quite frankly, on attacking Dalton McGuinty and the Ontario Liberals than on actually dealing with the government. But I do want to address some of the points that were made by both members. In essence, I think some of them were actually fairly useful remarks.

Certainly I'm very sensitive to the issue of nurse practitioners, which the member for Nickel Belt brought up. There is no question—and the government even seems to agree with this—of the value of nurse practitioners except that they do not show the action that would make one believe that indeed they think they're that important. Certainly in a riding such as I come from, Thunder Bay-Superior North, with many communities with a shortage of doctors and specialists, nurse practitioners can play such an extraordinarily important role. So to have the funding in place for only 20 of them is simply unbelievable. It's a battle we've all been fighting for some time, and it would go a long way to truly helping to deal with the shortage situation as we have it. I would hope the government would listen. Listening to the member for Mississauga South, I don't think the government has listened in that regard at all.

Making some reference to the remarks made by the member for Beaches-East York, I certainly am sympathetic to the situation faced by large municipalities and by the urban centres, but again I find myself feeling the need to make the case for the municipalities that I represent. Although I represent half the city of Thunder Bay, I do represent communities like Schreiber, Nipigon, Red Rock and Marathon that I think really have been treated extremely poorly by this government. When I get an opportunity to speak later, I will talk about some of the main issues that concern me related to that part of my riding.

**The Acting Speaker:** The member for Nickel Belt has two minutes to respond.

**Ms Martel:** I appreciated the comments about nurse practitioners that were made by my colleague, who also represents a riding in northern Ontario. But what I want to do is return to hydro, because I just had so much fun last time talking about hydro that I think it's worthwhile for me to just repeat some of these things. The problem the Ontario Liberal Party has is that flip-flop, flop-flip like fish in a frying pan on the issue of hydro. It is true that we have a position: we are opposed to the deregulation of the electricity market; we are opposed to the privatization of Hydro One. We have been clear from the outset about that. The problem these folks have is that their leader is saying one thing and some of them are saying something else on any given day of the week.

Louise Elliott is a good writer. I don't think she got this wrong when she interviewed the leader of the Liberal Party, Dalton McGuinty, on December 12 and asked him what he thought about the privatization of Hydro One or the sale of Hydro One. It's not my fault that Liberal leader Dalton McGuinty said that privatizing the company was the right move but should have been done following an open debate in the Legislature. That's what he said. I can't help that. Now he has seen the opinion polls, and people are very much opposed to the sale of Hydro One, so he has changed his tune and now he's opposed.

But that's not the first time that some of them have got caught, because the Ontario Electricity Coalition had a meeting in Kingston earlier in February, and the member for Kingston and the Islands, whom I like very much, who is the chair of a committee I'm on, got caught too, because he got up and said at that meeting that the Liberals were opposed to the deregulation of hydro, and someone at the meeting got up and read this fundraising letter which says, "Throughout Ontario's electricity restructuring process, Dalton and the Ontario Liberals have been consistent supporters of the move to an open electricity market in Ontario," and he got caught.

New Democrats are the only ones. We are opposed to both of those changes.

1710

**The Acting Speaker:** Further debate?

**Mr Ted Chudleigh (Halton):** It's a pleasure to enter this debate on the speech from the throne. The speech from the throne is an interesting document. It's about direction. It's about where the government is going to go in the next period of time, between now and the next speech from the throne or the election, whichever comes first.

Obviously, a document that is about direction doesn't always have the detail in it that people would like to see. That detail comes later, as bills are introduced and debated in the House. That's where the detail of the speech from the throne is. The speech from the throne is basically a document that talks about direction and a renewal of the government. It's an interesting process.

That renewal is something that our government and our party, the Progressive Conservative Party of Ontario, has a very rich and long legacy in. We have renewed ourselves many times in between elections. Over the course of the last 50 to 60 years, we've renewed ourselves with new Premiers, we've renewed ourselves with new policies and we've renewed ourselves at every opportunity with a speech from the throne as well.

The last large renewal started in the early 1990s, when Ontario was going through a very difficult period. Entire North America was having a difficult economic time, and Ontario was having a particularly difficult time with loss of jobs, bankrupt companies and downturns in the economy. Under this scenario, our leader at that time, Mike Harris, went out and consulted with the people of Ontario. He consulted about what their concerns were and what their cares were. What he found at that time was



that people were very concerned about health care, they were very concerned about education, they were very concerned about community safety, but most of all, the one that dominated all of their concerns, was the concern about having a job.

It was out of that set of consultations that the party came up with the Common Sense Revolution, which we talked to the people about, in a renewal of Ontario. After that next election, the people of Ontario accepted that vision of a renewal. Almost immediately after that renewal, we continued to consult. We continued to monitor the people of Ontario, not just the party members, but the broader general public, asking them what they thought, where Ontario should go, what was as important to them as their family. Lo and behold, we found by and large the same three issues were important to them: community safety, education and health care, all underlined strongly by the need for jobs. That security at home, the ability to bring home a paycheque, was a very important part of the people's concerns. Out of that consultation, our party came up with the campaign document, the Blueprint, which we ran successfully on in 1999.

Shortly after that document was published and the election of 1999 was behind us, the success of the past two elections and indeed the success of the last 60 years of the Conservative Party, with the unfortunate interruption of the 10 lost years, the lost decade—that process of renewal seems like a good idea. I think the people of Ontario kind of like to be consulted. I think they like to get the feeling that they're being consulted by the government in power.

So we went out again in 2000, talking to the people of Ontario about Seizing Tomorrow's Opportunities. That consultation is ongoing, and prior to the next election—I am not privy to the agenda, but I can guess as well as the opposition can guess that there will be an election document and it will have a nice flashy name. Maybe it will be Common Sense Revolution Two or whatever. That will contain our party's platforms. But the important part of our party's platform is that it's a result of consultation with the people of Ontario, so it involves a renewal—a renewal as this speech from the throne has made.

It's interesting that this is Premier Eves's first speech from the throne since he's become leader of our party. However, I think Mr Harris, as Premier of this province, has fundamentally changed politics, not only in Ontario but also in Canada, in two very important areas: one is because of the renewal process and because we had this document to guide us through a four-and-a-half-year period of governing. The catchphrase was "Promises made, promises kept." What he did was, when he promised something, he kept that promise. That is something that people in Ontario, and indeed people in Canada and North America, have not always expected from their politicians. I think that is a fundamental change, and I was very proud to be part of that government. That will be a legacy that will live with this party through the renewals on down the road, creating perhaps a confidence that people have in government that they have not had in the past. I think that's a good thing.

The other legacy that Premier Harris brought to politics, again not only in Ontario but perhaps in Canada as well, or many parts of Canada, was tax cuts. In 1995, when we brought in our policy of tax cuts, with the exception of one person—Mark Mullins I believe was his name—there wasn't one economist in one bank, in one Bay Street law firm, in one brokerage house, not one economist anywhere in the country, who would say that tax cuts were a good idea. Everyone unilaterally said, "They won't work."

Guess what? Here we are seven years later. In 1994-95, the revenue that was brought into this province—that's all the money the government collects in taxes and fees, everything that comes in to our government—amounted to \$46 billion. Then we started cutting taxes. The Liberals and NDP in the opposition said, "How can you cut taxes when you have a deficit?" Premier Harris and Mr Eves, the finance minister then, now Premier, said, "We have to cut taxes in order to eliminate the deficit." Gosh, here it is 2000-01, and revenues amounted to \$64 billion. That's \$18 billion more than they were at the end of fiscal 1995. That's \$18 billion, yet we cut taxes on every budget. I think the members who were elected in 1995 are probably the only politicians in the world who have been part of a government that has cut taxes every year that we've been elected, and every year that we've been elected revenues to the government have gone up. What a surprise.

In 1985, when the Liberals and the NDP formed a coalition government, they started raising taxes. Every time they raised taxes, they got a smaller percentage of revenue than they expected. If they raised taxes 3%, they would have expected 3% more revenue. But they didn't get 3% more revenue; they got 2% more revenue, or something of that relative scale. So after doing that for 10 years, raising taxes and getting less revenue, maybe, just maybe, if you did it the other way around it would work. Maybe if you cut taxes, you'd get more revenue. You cut taxes again and you get more revenue. We've been doing it for seven years. The Liberals don't understand it—some of their members do. The NDP doesn't understand it at all. And Ottawa hasn't got a clue, not a clue, as to what cutting taxes could do for this country if indeed we ever got into that in a serious way.

1720

I think that's the legacy the Mike Harris-Ernie Eves government of 1995 to 2001 will leave with Ontario. Not too long ago, back in late January, February, I think it was, there was a federal budget that was coming down. All of the talk, all across Canada, all the newspaper stories, all the speculation on the television, the talk radio shows, all of that conversation was about what items in the federal budget would be cut. Whereabouts were the tax cuts going to come? There was no speculation about increased sin taxes—liquor taxes, tobacco taxes, gasoline taxes—which were the traditional favourites. Remember back in the 1980s, whenever there was a budget coming down you used to line up and get your car filled up with gas because you knew that taxes were going up on gas;

you used to go to the liquor store and buy what you needed there, or to the beer store and buy what you needed there, because you knew that the next day there were going to be more taxes on them? There were all of these sin taxes that continued to be raised every year. Yet in the last federal budget, in the last budget in Alberta, in the last budget in the Maritimes, all the conversation was about tax cuts and where those tax cuts would occur. I think that's a legacy that Mike Harris has brought to the country of Canada and to the various provinces within Canada. I hope that legacy lasts for a long time, because on my retirement from these hallowed halls I would like to have been part of a government that never introduced a tax increase and in fact introduced a tax cut every year that I served in this place.

Talking about renewal, in the springtime I guess we think about the renewal of nature. I go back to the Ministry of Natural Resources, where some time ago I served as the parliamentary assistant. Talking about the legacy that we leave for Ontario, one of the great legacies that I believe we will leave for Ontario is Ontario's Living Legacy, that program that will increase the number of parks and protected areas in this province to a little over 22 million acres. It's hard to imagine how big 22 million acres is, but as we drive around Ontario, we see a lot of agricultural land. We see corn and soybeans growing; we see a lot of orchards; we see a lot of pasture. If you drive from here to Windsor or indeed from here to Barrie, if you drive through the north, you see pockets of it. If you took all of that agricultural land in the province of Ontario and doubled it, that would be approximately the number of parks and conservation areas that we now have in Ontario. This government has put almost 50% of that land under protection. I think that will be a legacy that will live on.

The problems we have in financing health care, the problems we have in ensuring a good education for our children, those problems will come and go. They will increase in intensity as economic times dictate and they will fade away as we solve some of those problems as we go down the road. But maintaining land in pristine condition, in the condition it was in when Europeans first arrived on these shores, and maintaining that volume of land, one of the greatest parks and conservation areas in the world, is a legacy that I believe will live on far beyond the time in which we have the problems of today. I think in looking forward to the future it'll be a marvelous thing to look back at the legacy we've created, with all of that parkland being protected for our children, for our grandchildren, for their great-grandchildren to see and to travel through and to enjoy.

I was part of that process in Ontario's Living Legacy in the creation of the Great Lakes heritage coast parkland. The Great Lakes heritage coast is an area that runs along the north shore of the Great Lakes, starting at Pigeon River, which is the western end of the Great Lakes where it meets Minnesota at the American border. It's interesting as you travel the Great Lakes heritage coast across the north shore of Lake Superior, the

different landscapes that you run into and meet. You meet them because it is a very personal thing. The more you travel in this province and the more you see the northland and the more you appreciate the vastness of this province, it's a wonderful thing to experience.

Travelling across there, on the north shore of Lake Superior, just west of Schreiber, between Schreiber and Red Bay, there's an area along there which is almost a rain forest. It's a northern rain forest. In the summertime, every evening the fogs come in and roll across that land, dropping moisture. It's a very, very strong growth area for mosses, encouraging a particular type of wildlife in that area. The member from Thunder Bay nods knowingly. It's a wonderful place to experience.

As you travel farther east, you run into that rugged, rugged coastline, Lake Superior Provincial Park, all the way down from Marathon and Wawa and across what is perhaps some of the greatest wilderness in the world that people can get to within maybe a two- or three-hour drive from an international airport. It's a true value that we have in Ontario to develop that for a high-end tourism business.

Of course if you're selling tourism in a wilderness area, if you have too many tourists, you're not going to have wilderness area very long; it's going to be developed. Striking that balance between tourism and taking advantage of that wilderness and losing that wilderness is a very important part of the future of the Great Lakes heritage coast. I hope that balance will be struck and found.

Recently, I was involved in a study that talked about the future of some of the core industries in Ontario; again, talking about the possibility of a renewal of those areas. One of the areas was the construction industry. Something that a lot of people don't understand or don't know about our construction industry in Ontario is that it is one of the greatest industries in Ontario. It employs a huge number of people. It is one of the safest construction industries in the world. That's something that is very, very important, to make sure that the people working in those industries are safe and secure. We do have one of the best safety records of any construction industry in the world. It's a very successful industry. It's very innovative.

If you look at the new Toronto airport, which is being built up there, it is in fact the largest construction project ever undertaken in Canada. It's worth about \$4.4 billion. It's significantly higher than the next two in construction. It involved a tremendous amount of innovative construction technique. That innovation has attracted world attention. People come to Canada to hire contractors to design and build large structures, highways, those types of things, in other parts of the world. That's a good export business for us. Canada, of course, depends very strongly on its export business.

Another area that I looked at was the petrochemical industry, which was extremely interesting and is an area in which we are a leader in North America. The petrochemical industry is one that has a large cluster of



primary producers in Sarnia, which is, again, a world leader, a world leader in safety.

It was in Sarnia that they came up with the concept of responsible care. Responsible care is a simple concept in that you take a product, you take an element, natural gas or oil or ethylene or propylene or one of those chemicals, and you produce it into something. Responsible care follows that product; it follows that product through its life, and at the end, it follows that product into a responsible disposal of that chemical to ensure that it doesn't become a piece of pollution in our environment. That responsible care program has spread worldwide, and it was started right here in Sarnia, in Ontario. I believe that about 95% of the North American petrochemical industry are participants in it.

It's with great sorrow that I tell you that I've run out of time, and I haven't even got to the best parts of my speech, but I'll try to time myself better next time.

1730

**The Acting Speaker:** Comments and questions?

**Mr George Smitherman (Toronto Centre-Rosedale):**

The member opposite says that it's with great reluctance that he sits down and that he hadn't even gotten to the best parts of his speech. I'd say "hear, hear" to that. But he did seem to be well out of energy, so I want to say we are thankful for just 20-minute time slots today.

I found it interesting that the member talked about the \$4.4-billion renovation job that's going on, the redevelopment at Pearson airport, forgetting to mention all the while that this was that great public asset that, as a result of the fortuitous efforts on the part of the Chrétien government, has remained in public hands; that in the last dying days of the scandal-plagued Mulroney government—the government that this government is inspired by—they sought to give away this prized asset to a bunch of their rich friends, the benefactors of years of the spoils of the federal government getting greased up just a little bit more on the way out the door.

I think the Pearson airport redevelopment does provide some source for stimulation—a stimulation of ideas about the capacity of a public asset to be maintained in public hands, but at the same time to be energized. These folks opposite have talked as though hydro is not an asset that Ontarians could on the one hand make sure serves them well into the future, but still stays as a prized asset. I would just say to the member opposite who spoke of that that there are other options with respect to hydro than the one that has been favoured by this government, which is a quick sell-off to rich corporate entities.

I'll leave the member's wanderings, those romantic wanderings around the shore of Lake Superior, to be commented on just a little bit more effectively by the member in the Legislature who actually has the honour of representing that very same area, and that's my friend from Thunder Bay, who will be speaking next for our party.

**Mr Prue:** I've listened in some awe to the travelogue, but there are a few things that need to be said. He said that the taxes going down each and every year was a

good thing. I would probably have a hard time if I walked out on the street and asked people if they thought their taxes going down was not a good thing. It's a simple sale. What is not a good thing is the results of the taxes going down. This government went out and attacked teachers; they went out and attacked doctors; they went out and attacked the health care system; they went out and attacked municipalities; they went out and attacked the poor. The result of the taxes going down is all the deprivation that we now see in the richest province in the richest country in the world.

I need to speak a little bit too—maybe a little bit off topic—about what Mrs Marland from Mississauga South said about whether the municipalities are better off now than they were then. Absolutely not. Before 1997, every municipality balanced their budget. In the last three years, not one of them in the GTA has been able to do it. Before 1997 and before this government, they had largely paid off all of their debts. All of those debts in municipalities have increased hugely, particularly in the city of Toronto, which is now a billion dollars in debt, when they were almost debt-free in 1995.

You asked the question, what happened in the municipalities? Before this government there was federal-provincial-municipal co-operation, there was a building boom of daycare centres, there was a building boom of places where people went to swim and to play, and not one thing has been built since 1995. Before this government, the municipalities were left alone to do what they did best. With this government, they were amalgamated against their will and they have wholly unwieldy structures that no longer work. Are they better off today? Absolutely not.

**Mr Maves:** There's a silly comment from the member opposite that I just can't let go of. I just did a brand new emergency ward opening in Welland a week ago. There are SuperBuild signs all over the place that the members opposite get upset about because we have so many building signs out there about all of the things the government of Ontario is contributing to. Two years ago alone, a billion dollars was spent by this government just in college and university renewal. So to say that nothing has been built since 1995 is rhetoric in the extreme.

I want to compliment my colleague from Halton, who also by the way gave a great speech on renewal in the province of Ontario. I enjoyed listening to him. I always do; he's a learned man. He was a PA to economic development and trade. Some members opposite may want to have a look at the competitiveness report that he authored. It's an excellent report and the member from Halton deserves credit for that.

He's a very keen tax cutter. He knows that in this jurisdiction, when you look at all of the combined property taxes and sales taxes and income taxes and corporate taxes and capital taxes and on and on, this province was overtaxed over the years. And the 199 tax cuts this government brought in have had great results. The results are that over 800,000 more people today are working in Ontario than were in 1995. Those people are all paying

taxes. What's the result of that? Actually, we have \$15 billion more in revenue coming in in the province of Ontario, because all those more people are working and paying taxes than we had in 1995. What has that allowed us to do? It has allowed us to balance the budget of the province three years in a row and spend an additional \$6 billion, for example, on health care.

**Mr Gravelle:** I certainly appreciate the part of the member for Halton's speech related to his travels through northern Ontario, particularly those parts that are very much in my riding. I can tell him that Mayor Bob Krause of Schreiber I'm sure would send his best regards to the member, who I think has had the pleasure of having a dinner especially put on by Mayor Krause on previous trips up there. The Great Lakes heritage coast is one of the projects that people in my part of the riding are excited about. I still am waiting to see exactly what will come out of the concept itself, but certainly I know that they are always happy to have you there, Mr Chudleigh, so please come back any time.

I also hope that one of the things that happens when you travel through my riding is that you hopefully also see some of the problems that we have there and some of the needs, and we would be very grateful if you would also push those forward; for example, the drive between Thunder Bay and Nipigon. One will note that we've been trying to get that part of the highway four-laned for the last 10 or 11 years. It was first announced back in 1990 by the David Peterson government and there was some progress made early on, but we've had none of that move forward since then. It has become a real hazard in terms of driving and we'd love to have you push for that. Certainly we'd love you to stop in Red Rock, a community that now no longer has a doctor. It would be wonderful if you could help us arrange a meeting of Mr Clement, the health minister, with the reeve of that community. The town of Schreiber, a fabulous community, one that's working very, very hard to overcome the fact that it has lost a great deal of its industrial base—we would love to have your help in getting the young offender facility located there. Terrace Bay—I can go on and I will go on, in fact. We'd love to have Birchwood Terrace, a fabulous former home for the aged, once again being utilized. We could use support for that. So I say to you, as much as I appreciate your trip and that beautiful travelogue, what we need is help to get our economy going again and to help us make the communities prosper. So I look forward to that help in the future.

**The Acting Speaker:** The member for Halton has two minutes to respond.

**Mr Chudleigh:** I started off my comments by saying that the NDP didn't understand tax cuts, and lo and behold, the member for Beaches-East York stood up and proved me right again. He talked about the results of the tax cuts, as to what happened in our community. He missed the point. If it hadn't been for our tax cuts, we wouldn't have had the extra \$15 billion, we wouldn't have been able to make the reinvestment of \$8 billion into health care, soon to be \$8 billion in health care. We

wouldn't have had that revenue. That's why your government continued to raise taxes. That's why your government upset everybody in the province. That's why you suffered that huge defeat on that wonderful evening of June 8, 1995, and Ontario entered into the recovery phase. It's part of the results of those tax cuts that have given us safer communities—communities that have never been safer.

**1740**

It's given us an educational system, where we've reinvested another billion dollars, that has created opportunities for children to learn how to actually read while they're in 12 or 13 years of school in Ontario. That wasn't happening before under your government, but it is happening now.

It gave us the opportunity to reinvest in health care, where we're building new hospitals around the province in Thunder Bay, Sault Ste Marie, Ottawa. That kind of reinvestment comes with the tax cuts and the responsible economic decision-making that this province has been so short of in the last decade.

I thank the member for Niagara Falls, who was very kind in his comments, and the member for Thunder Bay-Superior North. On his way home and over the summer, I'm sure he'll bump into Bob Krause. I hope he has good luck in creating that parkland he's talking about on the beach—

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Gravelle:** I'm glad to have an opportunity to speak a little more at length in relation to the throne speech, certainly to some degree what's in the throne speech but more specifically what's not in the throne speech. That is what I think people expect. When a throne speech comes forward, we anticipate it. We look to see if we're going to get a sense of direction from the government. What are their priorities? What are the issues that matter to them?

Certainly we saw a document that had some of that in it, in terms of multi-year funding for hospitals and school boards. In general, I think those were good things. We have some concerns literally about what that will mean in terms of adequate funding. But quite frankly, as I looked at the document more carefully, I was more struck by what was not in it, and it was difficult not to be struck by those things.

However, having said that, let me begin by saying something nice about the throne speech, if I may, which is the announcement of the full campuses for the northern medical school, one being in Sudbury, one being in Thunder Bay. It was in the throne speech. The Premier came to Thunder Bay about a week after that and confirmed that indeed Thunder Bay—Lakehead University—will be receiving a full medical school for the full four-year program, which we're very pleased about.

This was an extraordinary battle. Quite frankly, it shouldn't have happened the way that it did, if I may say. When the announcement was first made about the medical school back in April of last year, Thunder Bay



was only going to have a satellite campus. There was an extraordinary lobbying effort done by a number of organizations, groups and individuals: the Northwestern Ontario Municipal Association. The Nishnawbe-Aski Nation played an extraordinarily important role. Those who had been involved with the medical school proposed in the first place at Lakehead University did a great job of convincing the government and convincing the new Premier, who was the would-be Premier at the time, that indeed it needed to be a shared, equal campus. We're very pleased by that.

So I will say thank you. I'm pleased that was in the throne speech. I thought it was important that it was in the throne speech. I'm pleased that it was confirmed.

Having said that, it's difficult for me to have anything much more complimentary to say about the contents of the throne speech, because as I said, I'm struck most specifically by what's not there. We didn't hear anything related to home care, an area that is of extraordinary importance. This is a government that decided back in 1996, very early in their term, to restructure the health care system, to close a number of hospitals—although they promised they wouldn't close any hospitals.

If one sums up the whole process, it was going to be OK to do that because they were going to move more supports into the community. There was going to be more home care. Unfortunately, that process didn't quite work the way I think it should have. What we had was a situation whereby the hospitals were downsized, there were fewer acute care beds, patients were put into a state of turmoil. We've certainly seen what was happening in the health care system. But the long and short is that the home care sector had a huge extra responsibility, was in many ways taking on acute care patients in their homes.

Suddenly last year the government decided they were going to freeze the amount of money they were providing for home care, which meant a \$175-million shortfall. In my riding of Thunder Bay-Superior North and in the Thunder Bay district community care access centre, there was a \$9-million shortfall. So this had devastating effects on so many people who wanted to stay in their homes, so many people who had to leave the hospitals to go home and who needed care in their homes, people who actually could no longer stay at home and had to go back into the hospital once that freeze was put in place. The freeze ended up being a severe cutback.

So we were certainly hoping to see something related to home care in the throne speech. I will still, I guess, hope that we will see some of that in the budget, because there's no question we need to have an increase in the home care budget and we need to have it as quickly as possible.

There's one thing I do want to talk about, too. I see that the Minister of Community, Family and Children's Services is here. Earlier today, I participated in a press conference with members of Autism Society Ontario, Autism Society Canada and some parents of children with autism. The minister earlier today in question period made reference to some of the federal funds for child

care going into support for children with autism. But what was startling about the press conference today was the revelation that there is a Ministry of Health document, which is on the OHIP database, which indicates that the number of children with autism in the province of Ontario is certainly at least double what the ministry has been saying.

As it stands now, there is a therapy called applied behaviour analysis, which is an intensive form of therapy for young children with autism that can have remarkable results. Parents certainly told me about that. The problem is, as a result of the underfunding by the province, only about one third of the children who are now officially diagnosed with autism are able to receive that therapy. As a result, families are putting themselves in a dreadful situation where they are forced to mortgage their homes and use their salaries to fund the therapy, which is absolutely crucial. But today at the press conference, we learned that indeed there is a 1998 Ministry of Health report, which indicates that the number of children with autism is double the amount we think. So the shortfall is enormous and extremely sad. We certainly would love to have seen in the throne speech some relationship with the funding in terms of children with autism. It's a real tragedy.

May I say also, at the press conference today what was really so interesting was sort of a cost-benefit analysis in terms of what the costs will be to the health care system, to the education system and to the social service system for children who do not receive the help they need at that early age. It's extraordinary. It truly is in the billions of dollars that will be required for those children who do not receive the help they need and deserve. The truly sad part about all this is that the success rate of the ABA—the applied behaviour analysis—is so remarkable that probably 50% of the children who receive that particular therapy and help are virtually indistinguishable from everyone else in society when they are successfully through that process.

I certainly call upon the government to look in that direction. Right now they are using federal funds, which should be in the regulated child care sector, to provide some of that help. There should be provincial funding for that and we'd like to see that in the system as well. Certainly, that was an upsetting press conference because we saw very emotional testimony from families who have children with autism.

This is also, may I say, before I go on to my next area—and, God, I've got so many I'll never get to them all—a medical issue. It's a brain disorder. Right now it's under the ministry of community and family services, and the fact is it's a medical issue and it should be, I believe, under the Ministry of Health. If a child breaks a leg or if a child is stricken with cancer and needs chemotherapy, nobody questions the fact that the support will be there from the province. What we're seeing is that because autism is funded by the Ministry of Community, Family and Children's Services, the help isn't there for all the children, which is wrong, let alone the fact that the

province cuts off the funding after you turn the age of six. So we have children who are very successfully going through the therapy cut off when they reach the age of six, which is really, really sad. Certainly, I have constituents who have come to me.

1750

Another area which I think, again, we did not see in the throne speech was any reference to mental health services, and specifically children's mental health services.

There is an organization in Thunder Bay, the Lakehead Regional Family Centre, which provides very high quality resources and services for children and for families that have children with mental health problems. It's an organization that deserves our praise. They do the job under a great deal of stress. One of the sad things about the mental health sector in terms of the community is that the people who work there are certainly not paid at the same level as those who are in hospitals and other facilities. That's a problem as it is. It's hard to maintain staff.

But the most significant problem we have with the Lakehead Regional Family Centre is that because of all the pressures, because of provincial underfunding and the fact that there's actually been a decrease in funding of 8% over the last 10 years—not an increase, a decrease—they are absolutely stretched to the limit. Their caseload has increased by 150%, but their ability to actually deliver services is now stretched to the point where they have declared there will be a \$200,000 deficit in the fiscal year we're in right now, which we would love the Minister of Community, Family and Children's Services to provide for, because the funding comes from that ministry, of which I'm the critic, so there's no question that I would love to see that.

The ministry responded to the crisis at the Lakehead Regional Family Centre by saying they would go through a program review and help them manage it. The fact is that what we really need is more resources. I can't imagine what would be more important than children's mental health services in terms of resource needs. I would like to think that indeed the ministry and the minister would be listening to that need.

May I say—I'm speaking of my riding and the Lakehead Regional Family Centre—that this is a problem across the province. It's rather sad that we literally have to go begging for help for mental health services in this great province of ours, let alone that we have to go begging for mental health services for children. Again, each individual story and family situation is tragic. The help is there, but if you leave the regional family centres in the province unable to fulfill those responsibilities because they are in a deficit position and not able to maintain their staff, you're simply not doing well.

That's the other side of what the member for Halton was talking about. He was talking about the importance of tax cuts and what tax cuts had brought to the people of Ontario. I acknowledge that on the surface everybody certainly likes a tax cut. It's an appealing thing to have in

place, but the price we're paying for this in our province is phenomenal. When I have to come here and beg the Minister of Community, Family and Children's Services to find the funding for children's mental health services or beg the minister to find the funding so that children with autism can receive the ABA treatment, then something is really wrong. That's the other side of the tax cuts. It's really unfair and wrong that indeed that's the case.

I know I don't have a lot of time left, but I do want to touch on at least a couple of the issues in my riding as well.

I made reference to the member for Halton travelling through my riding, and we appreciate that. It's good to have government members and ministers there; I'm always glad to see them. But we want them to understand the issues that are there and that are really important.

We need a fair share of funds for our capital transportation needs. I made reference to four-laning of the highway between Thunder Bay and Nipigon. It's something that's absolutely in place. Premier Eves was in Thunder Bay last week and he actually made reference to it. After seven years of me standing up and speaking about the need to four-lane that highway and to increase safety and give us the kind of quality roads that absolutely will make a difference in northwestern Ontario, it was good to hear him talk about it. I hope we see something in the budget.

There are other transportation issues that concern me. We need to go beyond rehabilitation—I appreciate that some money has been spent rehabilitating the roads—and into capital expansion. It's something I intend to vigorously continue to fight for.

We need to have an advance warning light system all the way along the Thunder Bay Expressway. That's something that saves lives. May I say that's thanks to the late Al Palladini. Back in 1995, when he was Minister of Transportation, he agreed to put an advance warning light at one of the intersections of the Thunder Bay Expressway, and ever since then we have not had a fatality. The system works. I just wish I could convince the Minister of Transportation, Mr Sterling, and others, that an advance warning light system all the way along the system would really work. You've got a highway system, and suddenly you've got lights and people go through. It's something that everybody's been calling for. I certainly want to continue to fight for that.

I want a better deal for my municipalities. I do represent so many communities. It's a big riding. I represent the north side of Thunder Bay, and my riding goes for 300-plus kilometres along Highway 17 through Dorion, through Hurkett, through Shuniah township, through Nipigon, through Red Rock, Schreiber, Terrace Bay, Marathon, Pick River, the municipality of Greenstone—now there's a story. It used to be Beardmore, Longlac, Geraldton and Nakina and a number of other unincorporated communities like Jellicoe and Caramat—forced to amalgamate, in essence, finally, two years ago. We now have a council that is doing its absolute best to make



this new municipality work but we're not getting the help that we need from the province to be able to actually make this municipality work. We're not getting the support in terms of taxation, the transition ratios for TransCanada PipeLine; we're not getting the support we need. That is another issue.

Mayor Primeau and I did a series of public meetings in Greenstone over the wintertime, in the winter break. I'll tell you, people there are very, very unhappy about the fact that if you lived in an area that was formerly unincorporated—they're now dealing with increased property tax rates which are such a startling change that it's causing some of them to really wonder whether they can stay in that community. That is certainly a problem.

Many other issues: I talked about Schreiber and the young offender facility, Birchwood Terrace, tremendous concerns about silicosis and occupation disease in the Hemlo gold mines, the need for a justice of the peace in Marathon. These are all things I'm going to fight for. Certainly in terms of the throne speech, it's very sad that there were so many of these elements missing, elements that will mean so much to people. It's quite a price that we're paying for this particular kind of government.

**The Acting Speaker:** I just wanted to point out the presence in the members' west gallery of Ruth Grier, a representative in this House for the 33rd, 34th and 35th Parliaments. We're glad you could be here today.

The Legislature has just completed six days of debate on the throne speech.

On May 13, 2002, Mrs Mushinski moved, seconded by Mr Wettlaufer, that an humble address be presented to His Honour the Lieutenant Governor as follows:

"To the Honourable James K. Bartleman, Lieutenant Governor of Ontario:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us."

On Tuesday, May 14, 2002, Mr McGuinty moved that the motion for an address to the reply to the speech from the throne be amended by adding the following thereto:

"That the address in reply to the speech of His Honour the Lieutenant Governor at the opening of the session be

amended by striking out all the words after 'We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled,' and substituting the following:

"Whereas working families in Ontario deserve a government that will provide them with accessible health care, the best public education system in the world, a clean environment and a strong economy;

"Whereas the speech from the throne proved that the Eves government will continue to support the failed policies from the Harris regime, such as two-tier health care, private school tax credits, corporate taxes lower than Alabama's, compromised environmental protection and the privatization of Hydro One;

"Therefore, this House profoundly regrets that nothing has changed. The Eves government is out of touch with the people of Ontario and will continue to adopt policies that cater to their friends on Bay Street rather than hard-working Ontario families."

On Wednesday, May 15, 2002, Mr Hampton moved that:

"The amendment to the government motion to the throne speech be amended by adding the following:

"This House condemns the privatization and deregulation of Hydro, private sector involvement in health care and the government's unrelenting attacks on workers' rights."

The first question to be decided is Mr Hampton's amendment to the amendment to the motion.

All those in favour of Mr Hampton's amendment to the amendment to the motion will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members, this will be a 30-minute bell.

Hark: "Pursuant to standing order 28(h), I'd like to request that the vote on the amendment to the amendment to the address in reply to the speech from the throne be deferred until May 27, 2002."

That's signed by the chief government whip, the Honourable John Baird. It appears to be in order. So be it.

It being past 6 o'clock, this House stands adjourned until 1:30 pm, Monday, May 27, 2002.

*The House adjourned at 1800.*

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Norm Miller,  
Marilyn Mushinski, Michael Prue  
Clerk / Greffière: Anne Stokes

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Carl DeFaria  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Carl DeFaria, Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Lyn McLeod  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum



## TABLE DES MATIÈRES

**Jeudi 23 mai 2002**

### **AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

<b>Loi de 2002 portant que la justice n'est pas à sens unique (mineurs et travailleurs forestiers), projet de loi 14, <i>M. Ramsay</i></b>	
M. Lalonde .....	267
Adoptée .....	279

<b>Loi de 2002 modifiant la Loi sur l'électricité (protection du consommateur), projet de loi 55, <i>M. Hampton</i></b>	
Rejetée .....	280

### **PREMIÈRE LECTURE**

<b>Loi Tommy Douglas de 2002 sur la Déclaration des droits des patients, projet de loi 26, <i>M<sup>me</sup> Martel</i></b>	
Adoptée .....	283

# CONTENTS

Thursday 23 May 2002

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Fairness is a Two-Way Street Act (Miners and Forestry Workers), 2002, Bill 14, Mr Ramsay</b>	
Mr Ramsay .....	265, 272
Mr Spina .....	266
Mr Lalonde .....	267
Mr Tascona .....	268
Mr Bradley .....	269
Mr Kormos .....	269
Mr Martiniuk .....	271
Mrs Dombrowsky .....	271
Agreed to .....	279
<b>Electricity Amendment Act (Consumer Protection), 2002, Bill 55, Mr Hampton</b>	
Mr Hampton .....	272, 278
Mr Tascona .....	274
Mr Bryant .....	275
Mr O'Toole .....	276
Mr Conway .....	276
Mr Lalonde .....	277
Mr Gilchrist .....	277
Negated .....	280

## MEMBERS' STATEMENTS

<b>Home care</b>	
Mrs McLeod .....	280
<b>GO Transit</b>	
Mr Gill .....	280
<b>Labour mobility</b>	
Mr Ramsay .....	280
<b>Curtis Joseph</b>	
Mrs Munro .....	281
<b>Ontario security</b>	
Mr Levac .....	281
<b>Kitchener Lawn Bowling Club</b>	
Mr Wettlaufer .....	281
<b>Northern university funding</b>	
Mrs Bountrogianni .....	281
<b>Patients' bill of rights</b>	
Ms Martel .....	282
<b>Vince Audibert Boathouse</b>	
Mr Maves .....	282

## REPORTS BY COMMITTEES

<b>Standing committee on public accounts</b>	
Mr Gerretsen .....	282
Report adopted .....	283

## FIRST READINGS

<b>Tommy Douglas Act (Patients' Bill of Rights), 2002, Bill 27, Ms Martel</b>	
Agreed to .....	283
Ms Martel .....	283

## ORAL QUESTIONS

<b>Walkerton tragedy</b>	
Mrs Pupatello .....	285
Mr Clement .....	285
<b>Children's health services</b>	
Mr Peters .....	286
Mr Clement .....	286
Mr Patten .....	286
Mrs Pupatello .....	286
<b>Safe drinking water legislation</b>	
Mr Hampton .....	287, 294
Mrs Witmer .....	287, 294
<b>Nutrient management</b>	
Mr Hampton .....	287
Mr Stockwell .....	288
Ms Churley .....	288
<b>Ministry of the Environment staff</b>	
Mr Bradley .....	288
Mr Stockwell .....	288

<b>Federal airport security fees</b>	
Mr Gill .....	289
Mr Jackson .....	289
<b>Minister's comments</b>	
Mr Bryant .....	290
Mr Runciman .....	290
<b>Marriage</b>	
Mr Wood .....	290
Mr Hudak .....	291
<b>Young offender facility</b>	
Mr Kormos .....	291
Mrs Elliott .....	291
<b>Competitive electricity market</b>	
Mr Conway .....	291
Mr Stockwell .....	292
<b>Child care</b>	
Mr Miller .....	292
Mrs Elliott .....	292
<b>Ontarians with disabilities legislation</b>	
Mr Parsons .....	293
Mr DeFaria .....	293
<b>Portuguese Canadian community</b>	
Mr Johnson .....	293
Mr DeFaria .....	293

## PETITIONS

<b>Post-secondary education funding</b>	
Mr Conway .....	294

<b>Community care access centres</b>	
Mrs McLeod .....	298
<b>Province of Ontario Savings Office</b>	
Ms Martel .....	295
<b>Ontario drug benefit program</b>	
Mr Gravelle .....	295
<b>Doctor shortage</b>	
Mrs Dombrowsky .....	296
<b>Professional learning</b>	
Mr Ruprecht .....	296
<b>Hydro One</b>	
Mr Gravelle .....	296
<b>Competitive electricity market</b>	
Mr Ruprecht .....	296
<b>Social audit</b>	
Mr Gravelle .....	296
<b>Ontario disability support program</b>	
Mr Gravelle .....	297
<b>Post-secondary education</b>	
Mr Duncan .....	297
<b>Audiology services</b>	
Mr Bartolucci .....	297
<b>Home care</b>	
Mr Bartolucci .....	297

## THRONE SPEECH DEBATE

Mr O'Toole .....	298
Mr Bartolucci .....	298
Mr Prue .....	298, 302, 306, 310, 315
Mr Dunlop .....	299, 307
Mr Duncan .....	299
Mr Barrett .....	299, 303
Mr Maves .....	302, 315
Mr Cordiano .....	302, 305, 308
Ms Martel .....	303, 307, 308, 312
Mr Agostino .....	303, 311
Mr Gravelle .....	307, 312, 316
Mrs Marland .....	311
Mr Chudleigh .....	312, 316
Mr Smitherman .....	315
Vote deferred .....	319

## OTHER BUSINESS

<b>Richard Ruston</b>	
Mr Conway .....	283
Mr Kormos .....	284
Mr Sterling .....	284
<b>Visitor</b>	
Mr Colle .....	285
<b>Business of the House</b>	
Mr Stockwell .....	294

Continued overleaf



CA20N  
XI  
- 123



No. 9A

N° 9A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 27 May 2002

Lundi 27 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 27 mai 2002

*The House met at 1330.*

*Prayers.*

### INTRODUCTION OF MEMBER FOR NIPISSING

**The Speaker (Hon Gary Carr):** I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of Michael Harris, as member for the electoral district of Nipissing, effective the second day of April 2002.

Accordingly, I issued my warrant to the Chief Election Officer for the issue of writs for by-elections.

I beg to inform the House that the Clerk has received from the Chief Election Officer and laid upon the table a certificate of the by-election in the electoral district of Nipissing.

**Clerk of the House (Mr Claude L. DesRosiers):** I have a letter addressed to:

"Mr Claude DesRosiers

"Clerk of the Legislative Assembly

"Room 104

"Legislative Building

"Queen's Park

"Toronto, Ontario

"M7A 1A2"

It reads as follows:

"Dear Mr DesRosiers:

"A writ of election dated the third day of April, 2002, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to John A. Inch, returning officer for the electoral district of Nipissing, for the election of a member to represent the said electoral district of Nipissing in the Legislative Assembly of this province in the room of Michael Harris who since his election as representative of the said electoral district of Nipissing hath tendered his resignation. This is to certify that, a poll having been granted and held in Nipissing on the second day of May, 2002, Al McDonald has been returned as duly elected as appears by the return of the said writ of election, dated the twenty-first day of May, 2002, which is now lodged of record in my office.

"John L. Hollins

"Chief Election Officer

"Toronto, May 27, 2002."

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Mr Speaker, I have the honour to

present to you and to the House Al McDonald, member-elect for the electoral district of Nipissing, who has taken the oath and signed the roll and now claims the right to take his seat.

**The Speaker:** Let the honourable member take his seat.

### MEMBERS' STATEMENTS

#### SUDBURY ON-LINE HEALTH RESOURCE

**Mr Rick Bartolucci (Sudbury):** Today I'd like to applaud a Sudbury doctor, Dennis Reich, for creating a one-stop, patient-friendly Web site. Dr Reich makes it much easier for Sudburians to access health resources in the midst of our severe doctor shortages.

He has created [www.sudburyhealth.ca](http://www.sudburyhealth.ca), a user-friendly Web site designed to take the guesswork out of looking for our local health resources.

Dr Reich, who works at a Sudbury clinic, tries to keep, as he explains it, "the dam from bursting." He is well aware that over 40,000 Sudbury area residents are without a family doctor, and so understands the need for this Web site. The site provides answers to questions Dr Reich hears repeatedly. He identified a need and took the initiative to respond in a very accessible way. His vision and leadership should be commended by this government. He advises that the new Web site is a work in progress and is constantly being updated in order to provide accurate information to our patients.

My staff and I will certainly be referring constituents to [www.sudburyhealth.ca](http://www.sudburyhealth.ca). Dr Reich's efforts serve to patch up the leaks in the health care dam while we continue to lobby the Eves government to address Sudbury's critical doctor shortage.

#### AUTOMOTIVE INDUSTRY

**Mr Ted Arnott (Waterloo-Wellington):** First of all, I want to congratulate the member for Nipissing on taking his seat this afternoon for the first time.

I also want to inform the House of another positive development in Ontario's automotive industry and more new jobs in my riding of Waterloo-Wellington.

As indicated recently in the Kitchener-Waterloo Record, Trim Masters Inc is set to begin construction of a new factory in Elmira that's expected to employ about

150 people in the business of supplying seats and door panels for Toyotas assembled in Cambridge. These new jobs will strengthen the automotive cluster that is developing in Waterloo-Wellington to supply that same Toyota plant and the Honda plant in Alliston. Reinforced by governments—local and provincial—our educational institutions and skilled workers, the auto cluster is enhanced with every new supply-line industry that comes to our area.

To illustrate the strength of our automotive industry, I'll share with you some facts provided to me by Canada's Technology Triangle, a not-for-profit economic development organization that markets Waterloo region and its cities internationally. Their 1999 export study found that the motor vehicle industry is the most important in terms of value, accounting for about \$3.5 billion in exports. Around Waterloo region and Wellington county, the auto sector is flourishing. Elmira is also home to YM Technologies, a Honda supplier. There's TG Minto in Palmerston, Musashi in Arthur, Jefferson Elora in Elora, Long Manufacturing in Mount Forest and Denso in Guelph, all of which have opened in the last six years or so, supplementing our substantial automotive employment at companies like Budd Canada and Lear Seating.

I want to congratulate the Minister of Enterprise, Opportunity and Innovation for the summit that he held last week. Together, in partnership with the province, we will continue to work hard to strengthen our local economy and continue to create the new jobs we need.

#### NORTHERN HIGHWAY IMPROVEMENT

**Mr Michael Gravelle (Thunder Bay-Superior North):** I'm pleased to have the opportunity today to once again speak about crucial highway infrastructure needs in northwestern Ontario. Certainly it was heartening to hear Premier Eves during his recent visit to Thunder Bay speaking publicly about his plans to four-lane the Trans-Canada. Clearly the section between Thunder Bay and Nipigon must be the number one priority in our area, and I hope we will see evidence of this Premier's sincerity in next month's budget. What we need is a yearly allocation specifically geared to that part of Highway 11/17. This is a vital infrastructure need in my riding, one that we've been waiting for for too long.

In terms of other priorities, I want to renew my call for a full set of advance warning lights along the Thunder Bay Expressway. Advance warning lights save lives. It's as simple as that. They are utilized very effectively in many other provinces, and it continues to trouble me that the Ministry of Transportation has resisted using them more often. To the Premier I say, please hear our plea. Advance warning lights are not expensive. They work. They save lives. Certainly I will not give up my fight to see them put in place.

Another part of my riding that demands significant and speedy improvement is Highway 584 between Geraldton and Nakina. This is a truly dangerous stretch

of road that is narrow, bumpy and pothole-ridden. It is a true hazard for all who drive it, and I fear we may soon face a needless tragedy unless the government recognizes this as the true priority it needs to be.

Let's not wait until tragedy strikes to see all these crucial improvements put in place.

#### WEST NORTHUMBERLAND HOSPITAL

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize the hard work of everyone involved in the construction of the new hospital for west Northumberland residents. I'm pleased to announce that construction is on time, with a scheduled opening in the late fall of 2003.

But perhaps more importantly, the project is currently under budget. The fundraising campaign, Caring for Generations, has been extremely successful, raising \$22 million from a local population base of only 50,000. Even more impressive is that \$15.6 million has come from local residents and businesses.

Many thanks to the Caring for Generations chair, Mr Bill Patchett, and all members of his organization for their dedication.

Thanks also to the hard work of hospital staff and volunteers. Mr Brian Hart, the hospital committee chair, Ms Joan Ross, the hospital CEO, and Mr Don Morrison, chair of the hospital's board of trustees, have dedicated many hours to this project which indeed are appreciated.

Finally, thanks to everyone who has volunteered their time and made helpful donations to this wonderful cause.

I encourage all members to check out the progress of this wonderful facility on the southwest corner of Highway 401 and Burnham Street in Cobourg.

1340

#### CONTAMINATED SOIL

**Mr James J. Bradley (St Catharines):** The new Minister of Environment and Energy, although pre-occupied with his duties as government House leader and mired in the mess of his government's proposed sale of Hydro One, has an opportunity to take a positive and comprehensive piece of action to deal with the very difficult circumstances facing those residents of Port Colborne whose properties have been contaminated from industrial airborne fallout. The minister has a chance to alter and toughen the control order placed on Inco to better reflect the concerns of the affected residents; specifically, advancing the timetable for the cleanup, lowering the threshold at which the soil is considered traditionally to be contaminated and specifying adequate compensation for those whose properties have been devalued and whose health has been adversely impacted.

The model the minister should consider employing is that which was used for lead contamination in the Niagara and south Riverdale neighbourhoods of Toronto in the late 1980s, when the Peterson government utilized more aggressive levels of cleanup and took fast action to



ensure that the health and safety of the residents could be protected.

The consultation process should be superior to that which now exists. Residents feel that their full input has not, so far, been reflected in MOE actions and the minister has the power to rectify this situation.

The minister should ensure that all matters related to the Port Colborne situation be treated as a priority and that adequate staff and resources be made available immediately to address this serious situation.

### DURHAM HOCKEY TEAMS

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to three hockey teams from my riding of Durham that captured Ontario championships. Just this weekend I was pleased to join the Orono teams at their awards banquet. The village of Orono is understandably very proud of its Orono Lumber Midgents team and the Allin's Orchard Bantams team, each of which won 2001-02 Ontario championships this year.

I would like to pay tribute to the Orono athletic association and to the players, parents and coaches of both teams. Because of time constraints, I cannot name all the players although I would like to. However, the coaches for the Allin's Orchard Bantams are head coach Brian Allin, trainer Arnold Hicks, assistant coach Blain Moffat and practice coach Scott Wood. Coaching staff for the Orono Lumber Midgents are coach Dale Millson, manager Ken Rowe and trainer Brent Weiss.

Finally, I would like to recognize the Newcastle Stars Atoms, who not only won the Ontario Atom Championship but also captured the gold medal in the Lake Placid International tournament last month. The Stars are also the Regional Silver Stick Champions. Congratulations to each of the team members on their accomplishments. I'd also like to pay tribute to the sponsor, Newcastle IGA, along with coach Rick Palmateer, assistant coach Ken Boyd, trainer Tom Malone and manager Doug Orr. The members of the Newcastle Stars team have a sense of accomplishment.

These teams represent the best of our hockey traditions and are excellent ambassadors for their communities. We salute them all.

### GOVERNMENT'S AGENDA

**Mr Dwight Duncan (Windsor-St Clair):** You are no doubt aware that today we begin the third week of sitting in the second session of the 37th Parliament, and what have we had from the government? In a few short moments we will be voting on a speech from the throne. Now, speeches from the throne lay out a legislative agenda, a legislative plan. Have we had one bill introduced since the House started? Not a single piece of legislation; not one piece of legislation. Have we had a date announced for the budget? No; no date for a budget, the most important piece of financial information the government of the day can lay out for the people of this

province. We don't have a date. The only thing we've been able to do is delay estimates because the government's estimates weren't ready on time for consideration by this House.

But is it a question of not having things to do? Absolutely not. The government tells us they're going to bring forward hydro legislation in what they termed "enabling legislation." What that is code for is that they'll do a blank piece of legislation now and not make their announcement until the summer, when the House doesn't sit and the government can't be held accountable.

They've done nothing about the crisis in long-term care, they've done nothing about the crisis in home care and they've done nothing of any substance to address the funding problems in our schools.

It's a shameful first three weeks. We need a Dalton McGuinty Liberal government.

### ATTAWAPISKAT EVACUATION

**Mr Gilles Bisson (Timmins-James Bay):** Members in the House would know that over the last couple of weeks the residents of Attawapiskat had to be evacuated from that community because of the threat of a flood in that community.

I want to thank those people who were involved in the evacuation from the Attawapiskat First Nation who worked really hard at their end in order to organize things, but also the many volunteers within the community of Moosonee and Timmins, where some 1,800 people were evacuated by aircraft in order to put them up in various accommodations while the threat of flood was going on in the community. I know that the people of Attawapiskat were well treated. In all of the discussions I've had with the relief workers and the emergency workers, everybody who was involved in both the Moosonee and the Timmins operations on the evacuation side really felt that things went well. It was a really positive experience for our community. I can tell you that I'm very proud of the work our volunteer firemen have done, as well as the people of the Red Cross and multiple other organizations who were there in a time of need.

I think it's at times like that that you find out that our communities, although they may be spread apart in northern Ontario, and in this particular case by quite a large distance, sometimes we're a lot closer than we think. When it comes to an emergency, people do come together, pull together and make sure that people are well taken care of.

To the chief of Attawapiskat, Theresa, all her council and the community members, glad to see that you're back home. I look forward to seeing you as I go up to Attawapiskat over the next few weeks and assess things from there.

This is a very good story of what people can do when they come together.

## TOM TURNHAM

**Mr R. Gary Stewart (Peterborough):** I'm pleased to stand today in recognition of one of my constituents from Peterborough, Tom Turnham, who was presented with the Duke of Edinburgh Gold Award at St James's Palace in London recently.

Only 200 youths throughout the British Commonwealth are given the opportunity to receive the Gold Award each year. This award has four categories and is completed in three stages.

Tom Turnham began working toward the award when he was only 14 years of age. He completed the categories to work his way through bronze, silver and gold as follows: service to the community, where he worked with the elderly in the role of caregiver; expedition, where he completed a canoe adventure in Algonquin Park; physical recreation, where he chose Tai Chi; and selected skill, where he took first aid.

The Gold Award also comes with the completion of an extra category called a residential project. For this project, Tom Turnham attended a one-week course at the Royal Institute of Photography in England. As activities are selected for respective categories, participants must specialize and progress within those categories on a point system.

Please join me in recognizing this fine young citizen for his recognition in receiving this outstanding award.

## MOTIONS

## COMMITTEE MEMBERSHIP

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that the following amendments be made to the membership of certain committees: Mr McDonald replaces Ms Mushinski on the standing committee on general government, and Mr McDonald replaces Mr DeFaria on the standing committee on justice and social policy.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

## HOUSE SITTINGS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, May 27, Tuesday, May 28, and Wednesday, May 29, 2002, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

## Ayes

Agostino, Dominic	Eves, Ernie	Miller, Norm
Arnott, Ted	Flaherty, Jim	Molinari, Tina R.
Baird, John R.	Galt, Doug	Munro, Julia
Barrett, Toby	Gilchrist, Steve	Mushinski, Marilyn
Bartolucci, Rick	Gill, Raminder	Newman, Dan
Beaubien, Marcel	Gravelle, Michael	O'Toole, John
Bountrogianni, Marie	Guzzo, Garry J.	Parsons, Ernie
Boyer, Claudette	Hastings, John	Patten, Richard
Bradley, James J.	Hodgson, Chris	Peters, Steve
Brown, Michael A.	Hoy, Pat	Ramsay, David
Bryant, Michael	Hudak, Tim	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Sergio, Mario
Clement, Tony	Johnson, Bert	Smitherman, George
Coburn, Brian	Kells, Morley	Spina, Joseph
Colle, Mike	Kennedy, Gerard	Sterling, Norman W.
Conway, Sean G.	Klees, Frank	Stewart, R. Gary
Cordiano, Joseph	Kwinter, Monte	Stockwell, Chris
Cunningham, Dianne	Lalonde, Jean-Marc	Tascona, Joseph N.
Curling, Alvin	Levac, David	Turnbull, David
DeFaria, Carl	Marland, Margaret	Wettlaufer, Wayne
Di Cocco, Caroline	Martiniuk, Gerry	Wilson, Jim
Dombrowsky, Leona	Maves, Bart	Witmer, Elizabeth
Duncan, Dwight	Mazzilli, Frank	Wood, Bob
Dunlop, Garfield	McDonald, Al	Young, David
Ecker, Janet	McLeod, Lyn	
Elliott, Brenda	McMeekin, Ted	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	
Hampton, Howard	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 79; the nays are 7.

**The Speaker:** I declare the motion carried.

Motions? Statements by ministries?

**M. Gilles Bisson (Timmins-Baie-James):** Un point d'ordre, monsieur le Président : c'est juste pour être clair. Je comprends que le rapport est en français et qu'il va être disponible en français cet après-midi.

1400

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## WATER QUALITY

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I rise today to talk to this House about water; how we as Ontarians treasure it and yet sometimes take it for granted. Everyone in Ontario now knows the challenges of dealing with water. We know how a seemingly benign glassful could bring harm to many. We know how a lack



of responsibility in planning and science all contributed to the transformation of water from a thing of vitality to a cause of death. And we know what we must do to prevent that situation from recurring. We know these things partly because of the patient strength of the men, women and children of Walkerton. These are people who, though pained by tragedy, have remained dedicated to transforming their experiences into lessons for others.

We also know the road that lies ahead of us, thanks to the work of Justice Dennis O'Connor. I think all members of this House would agree that, just as the government asked him to do two years ago, he has produced a comprehensive and thorough report. He offered his recommendations with one eye on Walkerton and with one eye on the future, reflecting the balance that you would expect from someone skilled with the scales of justice. Yet he also produced a document that calls for change, even as it avoids condemnation. As he said on page 11, "[My] recommendations should not be viewed as a criticism of Ontario's current water quality standards ... the current standards were established with great concern for the safety of the province's drinking water...."

Those words are both heartening and helpful: heartening because the most comprehensive environmental study in this province's history has concluded that while Ontario's water system deserves attention, it is fundamentally sound; helpful because the report serves as a plan for the work that awaits us.

This government's "great concern for the safety of the province's drinking water," something that was sensed and confirmed by Justice O'Connor, has been sincere. That concern guided our immediate actions to protect drinking water and it continues to guide us as we put the focus on the broader issues outlined in the second O'Connor report.

You would expect us to undertake a thorough and complete review of a report that has been lauded for its comprehensiveness and attention to detail, and we are doing that. But make no mistake: as the Premier said, we will address all of Justice O'Connor's recommendations. Some actions are straightforward and can be acted on more quickly than others. Some recommendations require new legislation that will benefit from the counsel of our partners; for example, the introduction of a Safe Drinking Water Act. Still others will take the form of continuous improvements in the way we do business. But all of the recommendations will be dealt with. That is our commitment to the people of Ontario and that is our promise to future generations. Members of this House can look forward to seeing actions over the coming weeks and months, actions that both address the key themes of Justice O'Connor's report and represent the fundamental approaches of our water strategy for Ontario.

When I looked through the report, I was happy to see that many of its themes are consistent with the work we have already started. This is particularly the case with the report's emphasis on looking at water from source to tap. It ties in with our immediate emphasis on drinking water

protection, as well as our ongoing work on nutrient management and watershed planning. As members of this House know, the government's proposed Nutrient Management Act would substantially improve our ability to track sources of pollution and address capacity for the system to absorb these pollutants on a watershed basis. We are glad that our approach meshes with Justice O'Connor's report's emphasis on nutrient and watershed management.

Justice O'Connor's recommendations are also consistent with the strategic investments we have made, as well as the pilot projects that have begun in six communities. It ties in with the doubling of our ministry inspection teams, as well as expansion of our training opportunities for municipal operators.

Justice O'Connor's report is also consistent with the two things that have guided our actions since the tragedy in Walkerton: first, that Ontario's water future demands and deserves innovative thinking; second, that those thoughts must come from the broadest range of people, who have the broadest range of responsibilities for protecting Ontario's water. We are going to need co-operation and commitment from many parties to move forward on these recommendations. We need to move quickly to work with our partners. We need to hear their ideas about how together we can make the kinds of changes that will continue to provide Ontario's people with clean, safe water.

As I said, we are moving forward with a plan based on two years of work by Justice O'Connor and his team. Four of the commissioner's part one report recommendations were met in advance of the report's release in January. Since then we have implemented six more, and ministries are actively working on the remaining recommendations. In the weeks and months ahead, the Ministry of the Environment will move with great speed to develop implementation strategies to deal with the rest.

Justice O'Connor's work has shed a thoughtful and penetrating light both on what happened during that fateful Victoria Day weekend some two years ago as well on as the state of water management across this province. Across this country, the federal government and other jurisdictions from coast to coast are looking at O'Connor's words very carefully for the lessons that can be learned.

We too in this government have been doing that. Even as we embrace this final report from the O'Connor inquiry, we remind ourselves that Walkerton has been a lesson for everyone, whether they test samples, build systems or enforce standards.

We have waited for this report for some months. Now that Justice O'Connor's recommendations have been tabled with the public, we will take action on each of them. The people of Walkerton and future generations of Ontarians deserve that clean water legacy.

**Mr James J. Bradley (St Catharines):** The people of this province should be reminded that this tragedy in Walkerton was contributed to immensely by government cutbacks; that is, approximately half of the budget and

one third of the staff of the Ministry of the Environment were eliminated when Premier Ernie Eves was Minister of Finance. That drastically increased the risk to the water supply in this province, and no one should ever forget the contributing factor that that policy decision was in this situation.

We got the water and sewer situation muddled a bit in 1997 when the government said, "We're getting out of that infrastructure. We're backing away from that. We're no longer going to provide funding for those purposes." The Red Tape Commission was lurking in the background, always threatening the Ministry of the Environment, trying to weaken it in every way possible. The government proceeded with funding cuts to essentially pay for a premature tax cut that even the Minister of the Environment, to his credit in those days, opposed—having that tax cut invoked before the budget was balanced. Therefore, they had to have even deeper cuts.

Only eight of 28 recommendations from the first part of the report have been implemented so far. This government has been moving at a snail's pace in this regard.

The closing of the Ministry of the Environment labs, getting rid of all those expert scientists and technical people, was a drastic mistake on the part of this government.

What we have to do is toughen the Nutrient Management Act and make it very specific.

What we have to do is restore the staff and the funding to the Ministry of the Environment. The minister said, "They're all going to be permanent people." I just read Topical. Half the people they're hiring in one category are temporary people. They are not permanent, as the minister tried to buffalo the press with the other day.

I want to say as well that there are going to have to be massive amounts of money for infrastructure renewal, contributed to by users, the federal government, provincial government and local governments.

We're going to have to have a Safe Drinking Water Act in this province, without question. We're going to have to have water treatment and sewage treatment plants improved considerably. We must protect the raw water supply as well as the drinking water supply. That means tough enforcement of the municipal-industrial strategy for abatement commenced in the late 1980s in this province. We must have a clean air regulation, a clean air program which is going to prevent those contaminants which today fall from the air into our waterways and therefore contribute to the contamination of water.

We must ensure, in other words, that the Ministry of Environment has its funding returned to its previous levels at least, that it has its staffing returned to its previous levels at the very least. Even though the province has grown, even though there's been much more development which impacts the environment, those two things are certain.

But another that is certain is that the Ministry of Environment must have its clout back. At one time, the Ministry of the Environment was almost feared within government because it was a regulatory ministry. It was a

ministry which policed other parts of the government, the private sector, the crown corporations and so on. Today, some of the polluters out there in the private sector simply thumb their noses at the Ministry of Environment of Ontario. Even those within government sharpen their elbows and elbow aside the Ministry of Environment in any tough decision-making process.

The Premier, who will say anything, apparently, that comes to his mind on a given day, has indicated he is prepared to implement these recommendations. Those of us in the opposition, environment groups and residents are going to be looking at those 93 recommendations and relooking at the recommendations from the first part of the report to ensure that this government implements them. I don't believe they have the will to do it, and I don't believe they have the intention to do it.

1410

**Mr Steve Peters (Elgin-Middlesex-London):** The Minister of the Environment states that he's glad in regard to the Nutrient Management Act, glad that the approvals mesh with the report's emphasis on nutrient and watershed management. Perhaps the minister should read the report because—this is right from the report—"Nutrient management plans do not necessarily take into consideration watershed-specific information."

Let's go on further with this report, where it says "the Nutrient Management Act as it is proposed may not be sufficient in itself to protect the sources of Ontario's drinking water," and its "effectiveness will depend on the development of appropriate regulations." The report goes on to say, "There is a substantial overlap between the farm water protection planning I recommend and nutrient management planning for other purposes, and I think it may make sense to deal with both of these issues at once."

There are a number of points that are raised in here, and what we're seeing is this Nutrient Management Act at general government with one half-hour to deal with some very specific recommendations. It's not enough time. I would ask that you give consideration to the general government committee to fully deal with and implement these in the act.

**Ms Marilyn Churley (Toronto-Danforth):** The first thing the minister should have done today was get up and make an announcement that the government would be immediately reinstating the staff: the front-line staff, the inspectors, the scientists, the people who do the work for us; that the people who they laid off over the last several years would be reinstated as of today; that the budget would be put back to at least where it was when this government came to power in 1995 and immediately started talking about protection of the environment as red tape. There were some members of the government who did that.

I want to focus on two elements of the Walkerton Inquiry report. I want to thank Judge O'Connor and all of the many people who were involved in making this report possible; in particular to thank and to show our respect to the people of Walkerton, who waited a very long time for



this report to come forward. It's very important to them and indeed to all of the people of Ontario that these recommendations be implemented without delay.

I want to focus on the Safe Drinking Water Act. As you know, two years ago I presented a Safe Drinking Water Act in this Legislature. It has been before the House twice. It is based on existing American legislation that's been around for 20 years, plus some made-in-Ontario components. It is a very good bill and responds to a lot of the issues and questions that are before us today. That bill should be sent out to committee now so that we can hear the people of Ontario, so that we can make, if necessary, any amendments and improve upon it. That bill is ready to go out. There is no excuse for delay. It should be sent out immediately for public hearings.

The second thing I want to focus on, and I hope the new Minister of the Environment listens carefully to this, is that he lauded the Nutrient Management Act in his statement. I want to say to the minister that the Nutrient Management Act as it is now written is inadequate for the purposes of meeting the requirements and recommendations from Judge O'Connor. I'm going to give him a couple of examples.

Minister, this is extremely important. The NDP, fortunately, did force the bill back to committee hearings on Wednesday. We have a short window of opportunity to make some amendments that the NDP proposed earlier, which were rejected by your government and which we want to make again. This is what I want to say very clearly: studies submitted to the Walkerton Inquiry establish that over 150,000 wells in Ontario may be contaminated by bacteria in excess of maximum levels from the Ontario drinking water objectives. Studies indicate that contamination results twice as frequently in fields where manure is regularly applied. Evidence also indicates that the pathogens contained in the manure can survive in soil for months or years and may travel through the soil, entering underground aquifers kilometres away from their point of origin.

I want to make clear to you, Minister, that nutrient management plans as now defined in your bill will not prevent what happened in Walkerton, will not prevent manure contamination of our drinking water, because they focus mostly on the nutrient requirements for the growing of the crops but fail to address the pathogens in the manure.

Your Nutrient Management Act is proposing by regulation—regulation which we have not seen yet—simply to make mandatory nutrient management planning, agricultural best management practices and environmental farm plans. There is a limited regulatory approach and it may be, from my reading of it and many other experts in the field as well, no more successful than the present system.

We need a risk-based approach to water resource management which will require aquifer mapping and vulnerability assessment programs with continued monitoring.

Minister, please take a look at the nutrient management plan. Make sure that it's the Ministry of the Environment overseeing the plan. Make the necessary amendments that will actually meet the recommendations from the commissioner. As it sits now, it will not do that. You have an opportunity on Wednesday to get your members to support my amendments, or bring in your own; I don't care. But the Nutrient Management Act, as it now sits, must be amended if you want to fulfill the recommendations required by the O'Connor commission.

**Mr Peters:** On a point of order, Mr Speaker: Given that Justice O'Connor's report contains sweeping and specific recommendations regarding Bill 81, the Nutrient Management Act, and given the Premier's commitment to fully implement those recommendations, and given that the standing committee on general government has Bill 81 currently before it, with very short time constraints—one half-hour—therefore, I'm seeking unanimous consent of this Legislature that the standing committee on general government be given additional time to carefully consider the recommendations of Justice O'Connor's report in order to ensure that Bill 81 truly reflects and implements that report.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

## DEFERRED VOTES

### THRONE SPEECH DEBATE

**The Speaker (Hon Gary Carr):** We now have a deferred vote on Mr Hampton's amendment to the amendment to the motion for approval of the speech from the throne.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1417 to 1422.*

**The Speaker:** All those in favour of the amendment to the amendment to the motion for approval of the speech from the throne will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Curling, Alvin	Martel, Shelley
Bartolucci, Rick	Di Cocco, Caroline	McGuinty, Dalton
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gravelle, Michael	Parsons, Emie
Bradley, James J.	Hampton, Howard	Patten, Richard
Brown, Michael A.	Hoy, Pat	Peters, Steve
Bryant, Michael	Kennedy, Gerard	Prue, Michael
Christopherson, David	Kormos, Peter	Ramsay, David
Churley, Marilyn	Kwinter, Monte	Sergio, Mario
Colle, Mike	Lalonde, Jean-Marc	Smitherman, George
Conway, Sean G.	Levac, David	
Cordiano, Joseph	Marchese, Rosario	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Arnott, Ted	Gill, Raminder	Murdoch, Bill
Baird, John R.	Guzzo, Garry J.	Mushinski, Marilyn
Barrett, Toby	Hastings, John	O'Toole, John
Chudleigh, Ted	Hodgson, Chris	Runciman, Robert W.
Clark, Brad	Jackson, Cameron	Sampson, Rob
Clement, Tony	Johns, Helen	Spina, Joseph
Coburn, Brian	Johnson, Bert	Sterling, Norman W.
Cunningham, Dianne	Kells, Morley	Stewart, R. Gary
DeFaria, Carl	Klees, Frank	Stockwell, Chris
Dunlop, Garfield	Marland, Margaret	Tascona, Joseph N.
Ecker, Janet	Martiniuk, Gerry	Turnbull, David
Elliott, Brenda	Mazzilli, Frank	Wettlaufer, Wayne
Eves, Ernie	McDonald, Al	Wilson, Jim
Flaherty, Jim	Miller, Norm	Witmer, Elizabeth
Galt, Doug	Molinari, Tina R.	Wood, Bob
Gilchrist, Steve	Munro, Julia	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 37; the nays are 48.

**The Speaker:** I declare the amendment to the amendment to the motion lost.

The next question to be decided is Mr McGuinty's amendment to the motion.

All those in favour of Mr McGuinty's amendment to the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1425 to 1430.*

**The Speaker:** All those in favour will please rise and be recognized by the Clerk.

<b>Ayes</b>		
Agostino, Dominic	Cordiano, Joseph	Levac, David
Bartolucci, Rick	Curling, Alvin	Marchese, Rosario
Bisson, Gilles	Di Cocco, Caroline	Martel, Shelley
Bountrogianni, Marie	Dombrowsky, Leona	McGuinty, Dalton
Boyer, Claudette	Duncan, Dwight	McLeod, Lyn
Bradley, James J.	Gravelle, Michael	McMeekin, Ted
Brown, Michael A.	Hampton, Howard	Parsons, Ernie
Bryant, Michael	Hoy, Pat	Patten, Richard
Christopherson, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Kormos, Peter	Prue, Michael
Colle, Mike	Kwinter, Monte	Ramsay, David
Conway, Sean G.	Lalonde, Jean-Marc	Sergio, Mario

**The Speaker:** All those opposed to the amendment to the motion will please rise.

<b>Nays</b>		
Arnott, Ted	Guzzo, Garry J.	Mushinski, Marilyn
Baird, John R.	Hastings, John	O'Toole, John
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Turnbull, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Elliott, Brenda	Mazzilli, Frank	Wilson, Jim
Eves, Ernie	McDonald, Al	Witmer, Elizabeth
Flaherty, Jim	McDonald, Al	Wood, Bob
Galt, Doug	Miller, Norm	Young, David
Gilchrist, Steve	Molinari, Tina R.	
Gill, Raminder	Munro, Julia	
	Murdoch, Bill	

**Clerk of the House:** The ayes are 36; the nays are 49.  
**The Speaker:** I declare the amendment to the motion lost.

We now come to the motion by Ms Mushinski.

All those in favour of Ms Mushinski's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1434 to 1439.*

**The Speaker:** All those in favour of Ms Mushinski's motion will please rise one at a time and be recognized by the Clerk.

<b>Ayes</b>		
Arnott, Ted	Guzzo, Garry J.	Mushinski, Marilyn
Baird, John R.	Hastings, John	O'Toole, John
Barrett, Toby	Hodgson, John	Ouellette, Jerry J.
Chudleigh, Ted	Jackson, Cameron	Runciman, Robert W.
Clark, Brad	Johns, Helen	Sampson, Rob
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Turnbull, David
Elliott, Brenda	Mazzilli, Frank	Wettlaufer, Wayne
Eves, Ernie	McDonald, Al	Wilson, Jim
Flaherty, Jim	Miller, Norm	Witmer, Elizabeth
Galt, Doug	Molinari, Tina R.	Wood, Bob
Gilchrist, Steve	Munro, Julia	Young, David
Gill, Raminder	Murdoch, Bill	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

<b>Nays</b>		
Agostino, Dominic	Curling, Alvin	Martel, Shelley
Bartolucci, Rick	Di Cocco, Caroline	McGuinty, Dalton
Bisson, Gilles	Dombrowsky, Leona	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	McMeekin, Ted
Boyer, Claudette	Gravelle, Michael	Parsons, Ernie
Bradley, James J.	Hampton, Howard	Patten, Richard
Brown, Michael A.	Hoy, Pat	Peters, Steve
Bryant, Michael	Kennedy, Gerard	Prue, Michael
Christopherson, David	Kormos, Peter	Ramsay, David
Churley, Marilyn	Kwinter, Monte	Sergio, Mario
Colle, Mike	Lalonde, Jean-Marc	Smitherman, George
Conway, Sean G.	Levac, David	
Cordiano, Joseph	Marchese, Rosario	

**Clerk of the House:** The ayes are 50; the nays are 37.

**The Speaker:** I declare the motion carried. Let it therefore be resolved that an humble address be presented to His Honour the Lieutenant Governor as follows:

"To the Honourable James K. Bartleman, Lieutenant Governor of Ontario:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us."

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: A moment ago my colleague raised the possibility of extending time in committee with



respect to Bill 81. The government House leader indicated a willingness to discuss that at House leaders' meeting. Mr Speaker, I seek your advice. If we wait until the House leaders' meeting to do that, it'll be too late because the bill is before committee Thursday morning for half an hour for clause-by-clause.

Given Justice O'Connor's report, and I know the sincerity the government House leader conveys with respect to the implementation of that report, could I ask that the government consider a meeting today between the three House leaders to make a determination with respect to further opportunity to discuss Bill 81 in the context of Justice O'Connor's recommendations?

**The Speaker:** As you know, the Speaker doesn't schedule the House leaders' meeting. They can meet any time they like. You can use any of the facilities; we have an office at the side. We'll offer anything we can and it will be up to the House leaders. I don't set up the meetings, unfortunately.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On the same point of order, Mr Speaker: My door is always open.

## ORAL QUESTIONS

### CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Last week the Minister of Health said that he was shutting down children's cardiac care programs in Ottawa and London. You said, when approached by the media, that you needed an opportunity to review the matter. Now that you've had that opportunity, I'm sure you would have come to two very important realizations. First of all, requiring families to drive up to five hours to Toronto for care will impose tremendous hardship on them. Second, there is no medical rationale supporting this centralization program. Premier, will you admit that the decision to centralize cardiac care for our children is wrong and that the best thing for our kids is to provide continuing quality care close to home?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** No, I will not. I think the most important thing at issue here is the health of young people and how they can best be looked after to the best of everyone's ability. That is the underlying focus of the government. It was the underlying focus of the study which was done by a group of professional medical people.

**Mr McGuinty:** Premier, you're making the same argument as your minister: you're saying this is all about better health care. If you take a look at the studies that have been quoted by your minister, you will discover that in those particular cases we're talking about some tragic, horrific outcomes.

In the case of the Children's Hospital of Eastern Ontario, the success rate for pediatric cardiac surgery and catheter interventions is the same as at Sick Kids. There is no medical rationale for taking this program away from CHEO and transferring it to Sick Kids. On top of that, doctors are telling us that we are going to place very tiny, very fragile, very vulnerable children—infants, in fact—at risk by requiring that we transport them to Sick Kids in Toronto.

I'm asking you, Premier, to take a long, hard look. If you do that, you will discover that what this effectively does is impose a tremendous burden on our families. It is not a case of improving outcomes for our families; if that were the case, you and I would have something on which we could agree. But the fact is that the outcomes at Sick Kids are the same as the outcomes at the Children's Hospital of Eastern Ontario. I'm asking you to review this matter, and, once you've done that, I'm asking you to agree that this is not in the best interests of eastern Ontario families or their kids.

*Interjections.*

**The Speaker (Hon Gary Carr):** It's too noisy. We'll wait. Sorry, Premier.

**Hon Mr Eves:** I'd be happy to review the report, but I don't believe the facts in the report are indeed as the leader of the official opposition states. I believe the facts are that the mortality rate in comparable cases at Sick Children's Hospital in Toronto is zero and at CHEO it's somewhere between 2% and 4%. Therein lies the crux of this very difficult decision the government has to make. The government has to make a decision based on what is in the best interests of all the young people who are in need of this type of surgery in the province.

You will recall that a similar situation arose in London, Ontario, and that particular hospital stopped doing these types of procedures as of last November, following a coroner's report. Surely the leader of the official opposition isn't going to wait until there is a coroner's report to deal with the situation in Ottawa. We're trying to avoid that situation.

**Mr McGuinty:** Premier, I can tell you that your information is not the same as my information. If you have information that you would like to table here and make clear to all of us, we'd be delighted to entertain that and receive it.

What I can tell you is that my information is telling me the outcomes at the Children's Hospital of Eastern Ontario are identical to the outcomes at Sick Kids in Toronto.

I can also tell you that in those cases where studies have said that in order to bring about improvement in outcomes you have to bring about an increase in volume, the study that's relied upon by your minister is a California study. The plan there resulted in an average travel distance for families of 45 miles to the centralized site. In the case of Ottawa families having to travel to Toronto, we're talking about a distance that is closer to 300 miles.

I think a very important factor in all this is, what is the hardship that is going to be saddled on our families? It is tough enough to have a very sick child in the family. That is already extremely stressful. But to tell those families that they have to visit their child 300 miles away, that they have to struggle to juggle their responsibilities vis-à-vis their child at a hospital in Toronto and the rest back home in Ottawa, is unfair to those families.

I'm asking you, Premier, to review the—

**The Speaker:** The member's time is up.

**Hon Mr Eves:** I've already indicated to the leader of the official opposition that I'd be happy to review the report. But I do have to point out a few facts from the report, as I understand them.

First of all, this is a specialized pediatric services review committee. Over half the members of the committee are people who aren't from the greater Toronto area. In fact, it is made up of people from southwestern and eastern Ontario, as it should have been.

The number of procedures being performed at CHEO have been declining steadily for the last three or four years. The studies coming from Manitoba, our own study, as well as other studies around the world indicate that the more procedures, especially complicated procedures, that are carried out at any specific site, the higher the success rate and the lower the mortality rate. Surely that is the ultimate objective here at the end of the day.

1450

#### MINISTRY OF THE ENVIRONMENT STAFF

**Mr Dalton McGuinty (Leader of the Opposition):**

This question is to the Premier. Last week we received part two of the Walkerton Inquiry report. I was frightened, in fact, to learn through the Globe and Mail and the Toronto Star that you insist that your 1996 cuts to the Ministry of the Environment and to the number of inspectors working there had no link whatsoever to the Walkerton tragedy.

I am sure you've had the opportunity to read part one of the report of the Walkerton Inquiry. You will be aware of Mr Justice O'Connor's findings with respect to the impact your cuts had and the way they contributed, at least in part, to the Walkerton tragedy.

I'm asking you today, Premier: in the face of Mr Justice O'Connor's findings, how can you possibly say the cuts you made as our Minister of Finance had nothing whatsoever to do with the Walkerton tragedy?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** There were many contributing factors to the tragedy that happened in Walkerton two years ago. Obviously, it is hindsight now, but it was the reporting mechanisms with respect to testing and where those results were reported to which in part contributed to the tragedy that was Walkerton. That is what I said on Friday and that is what I'm saying in this Legislature today. The important thing from here is to get on with the job we

have started of making sure that Walkerton never happens again.

Surely the leader of the official opposition will recognize that on page 2 of Mr Justice O'Connor's report, he talks about the quality of drinking water in the province of Ontario and how safe it is. It's one of the leading jurisdictions in the world. I didn't hear that in his preamble. I'm sure he left that out by mistake.

**Mr McGuinty:** What I didn't hear from you, sir, is at least some admission to the effect that your cuts—you wielded the knife recklessly—led, at least in part, to what happened at the Walkerton tragedy.

Pages 34 and 35 of Mr Justice O'Connor's report, part one, say the following: "Before the decision was made to significantly reduce the MOE's budget in 1996 ... the cabinet received numerous warnings that the impacts could result in increased risks to the environment and human health. These risks included those resulting from reducing the number of proactive inspections—risks that turned out to be relevant to the events in Walkerton. The decision to proceed with the budget reductions was taken without either an assessment of the risks or the preparation of a risk management plan." He is talking here specifically, Premier, about your cuts and how they led, at least in part, to the Walkerton tragedy.

I don't need to hear about the reporting requirement. We know that too was a problem. I need some assurance that you understand the role you played leading up to the Walkerton tragedy. Ontarians need to know that if we're going to have confidence in you moving the yardstick forward now.

Will you stand up, Premier, and admit that your cuts led, at least in part, to the Walkerton tragedy?

**Hon Mr Eves:** Your bluster in the House here today is really trying to make political hay out of a tragedy that happened in the province of Ontario. I don't really think it does anybody any good at the end of the day—

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry for the interruption. Premier?

**Hon Mr Eves:** Since May 2000, the government has spent over \$351 million in safe drinking water initiatives. Is it enough? Obviously, it's not enough. That's why on Friday morning I said we will be committing to implement every one of Mr Justice O'Connor's 93 recommendations in the second report as well. It is going to take some time to implement some of those recommendations, but some of them are going to be relatively easy to deal with. We're going to deal with them in short order.

I would remind the leader of the official opposition, though, that Mr Justice O'Connor premises and prefaces his remarks by saying that readers should not conclude that Ontario's existing system needs radical reform. It does not. We can be proud of the high level of expertise and competence that our leading water providers exhibit.

**Mr McGuinty:** Premier, you can bob and weave all you want, but at some point in time you're going to have to admit that your cuts to the Ministry of the Environ-



ment—you're the guy who wielded the knife—led at least in part to the Walkerton tragedy.

In the Tory leadership debate on January 17, you had this to say, "You know, within 30 days of taking office in 1995, Mike Harris and I sat down, and we were able to cut \$2 billion of spending out of the provincial budget."

Mr Justice O'Connor said—to remind you, Premier—"The reductions were initiated by the central agencies of the government, rather than from within the MOE, and they were not based on an assessment of what was required to carry out the MOE's statutory responsibilities."

This has everything to do with your involvement in the Walkerton tragedy, Premier. If you really want to move forward, the first thing you have to do is take responsibility. When are you going to stand up and take responsibility for the fact that your reckless cuts—you wielded the knife with wild abandon—led at least in part to the Walkerton tragedy?

**Hon Mr Eves:** Very simply, that is not the case. He has no conception at all of how the budgetary process in this place works or how any reductions that may have taken place in any ministry occurred. They're not imposed from the top down; they are requested from various ministers. They go to the Minister of Finance every year. That is how the process goes. That is how the process worked then and how it's working now.

If he wants to come back to the Walkerton issue—

*Interjections.*

**The Speaker:** Order. The Premier has a few more seconds.

**Hon Mr Eves:** I understand the frustration of the member from Vaughan-King-Aurora—I'm glad to see he's here. I understand his frustration. He wishes he were sitting there. Maybe some day he'll get a chance to sit there.

Walkerton is a very serious issue. The government is taking the recommendations of Mr Justice O'Connor very seriously, and we will be proceeding with those recommendations.

## WATER QUALITY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Last week Mr Justice O'Connor presented his recommendations to protect Ontario's drinking water and prevent another Walkerton tragedy. His recommendations set out a clear agenda: to provide safe, clean drinking water for all Ontario residents.

We understand from the press that you have now committed to implementing all his recommendations. If that's the case, Premier, you will have to get busy, very busy, this spring session. Safe drinking water needs to be job number one.

So my question is, will you stop pushing Hydro privatization, which nobody wants, and focus on safe, clean drinking water, which everybody needs?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, we are not pushing Hydro

privatization. Secondly, we will certainly spend the time that is required to deal with the implementation of Mr Justice O'Connor's report.

**Mr Hampton:** Well, Premier, according to your schedule we have five weeks left in the spring session to get serious about safe, clean drinking water. If you are serious, there's some work you can do right now.

Your colleagues tried to push through a flawed nutrient management bill last December. New Democrats held it up because it was flawed, and Mr Justice O'Connor's recommendations point out how clearly it was flawed. But the bill is still before a legislative committee.

New Democrats will bring forward amendments straight out of Mr Justice O'Connor's report so that they can be implemented in that bill. The question is, will you commit to the people of Ontario that you will not try to pass the nutrient management bill until the recommendations from Mr Justice O'Connor that should be in that bill are in fact included?

1500

**Hon Mr Eves:** As a matter of fact, Mr Justice O'Connor says on page 138 of his second report, "With respect to nutrient-containing materials, the act, if passed in its present form, would certainly provide the province with the authority to create the tools it would need to develop the farm water protection planning system that I am recommending."

That is exactly what we plan on doing. To the leader of the third party, the draft regulations and thoughts on regulations can be ready to go. They can go out. They are the tools, I believe, that Mr Justice O'Connor is referring to on page 138 of his report. We'd be happy to have your input and that of the committee and your members on the committee over the summer to those regulations to implement the tools in the act in its current form, as Mr Justice O'Connor himself recommends passing in this Legislature.

**The Speaker (Hon Gary Carr):** Final supplementary.

**Ms Marilyn Churley (Toronto-Danforth):** Premier, if you go on to read the report you will find that there are discrepancies in the existing Nutrient Management Act and the recommendations from Judge O'Connor, one being that he wants the Ministry of the Environment to be the lead ministry. There are others that I pointed out earlier today. I am glad that my caucus, the NDP caucus, in fact sent it back out to committee so that we do have another opportunity to make those amendments.

I want to ask you another question here. You say you want to support all of the recommendations made by Judge O'Connor. Let me remind you that the introduction of a Safe Drinking Water Act is one of his key recommendations. But when push comes to shove, your government has denied again and again the ability to send my Bill 3, the Safe Drinking Water Act, which passed in this House, out to committee so we can bring it back for speedy passage.

There is a bill before the House already which is comprehensive and should be sent out to committee now. So I'm asking you, will you commit today to send Bill 3, my Safe Drinking Water Act, out for public committee hearings so it can come back for third reading and a final vote?

**Hon Mr Eves:** Yes, I will. As a matter of fact, I had an opportunity to review the member's bill over the weekend. There are five or six additions that the government believes are amendments that would be needed to provide the effect that Mr Justice O'Connor would like to provide with the Safe Drinking Water Act. I'd be more than happy to see that member's bill go out to committee for discussion.

### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** A question to the Premier: Tom Adams, your comrade-in-arms and supporter of your scheme to deregulate and privatize our hydro system, now says that Ontario's electricity consumers are facing big hydro price spikes this summer.

For months your government has been saying, "Oh, don't worry. Ontario has plenty of power. Ontario won't be like California. Everything's going to be fine." But now one of your staunchest supporters is saying that you're in trouble. He says, "Deregulating hydro when you don't have enough power means hydro rates can go through the roof this summer."

Premier, why are you risking big hydro price spikes when even one of your staunchest supporters says it's going to put you into trouble?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, there will be fluctuations in the price of hydroelectric power, electricity rates. He knows that. He knows that if he looks at what the rates have been since the market was opened, in general the rates have been far below what they normally are. He will also know that there is some protection with respect to the rates not going above 3.8 cents a kilowatt hour that OPG provides to their customers, and if they do happen to spike for a brief period of time in the summer over that amount, those customers from OPG will be rebated.

**Mr Hampton:** Mr Adams said very clearly, "The delay in returning Pickering A to service, combined with" other issues "and slowdown in private-sector investment, is substantially increasing the risk of big price swings and big price spikes."

Premier, you know that in a deregulated hydro system the price swings can be very wild, and you know that the problem in California, as your government keeps saying, is that they didn't have enough power at the right time. That sounds like the same recipe that Mr Adams says you're now headed for here.

So I'm asking, why do you persist in your agenda of deregulating our hydro system when even one of your staunchest supporters says it may lead to incredible hydro price spikes this summer?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm sure the Minister of Energy can answer this specific request.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Adams was referring to the supply adequacy report done by the IMO in April 2002.

The fact of the matter is, I say to the leader of the third party, when they were discussing the supply adequacy report, Pickering was assumed not to be in place. Therefore, having Pickering up or having Pickering down would not have any effect on the supply of power in Ontario. I've told you this three times. You can get the report and view it for yourself.

Either you're choosing to ignore the facts or you're not understanding the facts. I think it's probably the latter rather than the former. Let me say as clearly as I can again: the IMO study presumed the Pickering plant wouldn't be operating, and they still determined there would be an adequate supply of power for the province of Ontario—end of story; full stop.

### CHILDREN'S HEALTH SERVICES

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Premier. Last Thursday the Minister of Health announced he was shutting down the pediatric cardiac surgery programs at the children's hospitals of both western Ontario and eastern Ontario. You stated later that day, "I believe that if you have the expertise and the ability to provide those services in a regional centre, then you should be able to do that." Well, London had that expertise and that ability. Since October, with the threatened closure of the program in London, there's been a tremendous outcry from patients, families and physicians.

The studies and numbers used in the report do not enjoy unanimous support. Please listen to all these experts and do not be selective. These same studies also conclude that transferring from one hospital to another has a significant risk of mortality, and yet this is exactly what your minister is proposing to do for all sick children outside Toronto.

Premier, I'm asking you today to personally review this decision. Do not allow your minister to put the lives of children at risk. Will you intervene? Will you commit to protect regional pediatric care for the children of this province?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The honourable member will be aware, I'm sure, of the remarks of Dr Tim Frewen, chair of pediatric studies at University of Western Ontario, who in fact does not come to the conclusion that the member comes to with respect to this. Dr Frewen and others who served on the review committee have the best interests of young people at heart. Surely that is the most important thing at the end of the day, as I said to his leader during an earlier question.



**The Speaker (Hon Gary Carr):** Final supplementary.

**Mr Richard Patten (Ottawa Centre):** Premier, you just mentioned that you would do a review. I would hope that in doing your review you have certain information. Obviously, out of interest, we have certain information as well. We're doing studies, we're taking a look at studies that were done and we've read the report as well.

We've got professionals who are questioning this particular move. Dr Jamie Hutchison, who is in charge of our intensive care unit, is saying you will be threatening the lives of children by the very nature of transporting children for five hours by car, or perhaps a little less.

You will remember Sean McCarthy, the little boy who drowned in a creek and was dead for two and a half hours. We reviewed that particular case, and you will know the surgeon said that if CHEO had not been there and they had tried to transport that child to Toronto, he would have died. Sean is alive today because of that hospital and because of that program. If you make this particular move, you will not just hurt the surgery unit; you'll hurt the whole cardiac unit.

So I ask you: when you do your review, will you allow us to provide some information on the arguments you put forward for your particular decision?

**Hon Mr Eves:** I obviously will take a look at any information he has with respect to a review. He makes a very important point, but we're not talking about closing down all pediatric services at CHEO. We're talking about a specific type of surgery. In the case of CHEO, I believe it's elective surgery. But I'd be happy to look at the information he has, and I'm sure the Minister of Health will as well, as we go forward.

1510

## AUTOMOTIVE INDUSTRY

**Mr John O'Toole (Durham):** My question is for the Associate Minister of Enterprise, Opportunity and Innovation. No one understands better than the MPPs from Durham region the importance of the automobile manufacturing sector to our economy, both locally and indeed provincially and nationally. This industry employs over 130,000 people in our province, many of them at the GM assembly plant in Oshawa and related manufacturing centres throughout Durham region. This industry has given hundreds of families a high standard of living, opportunities for advancement, education and a great way of life. I know this personally within my own circumstances.

A strong automotive industry is vital to the success of Ontario's economy. I'd like to know what our government is doing to ensure that the automotive industry remains competitive and a strong part of Ontario's economy.

**Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation):** I would like to thank the extremely hard-working member from Durham for this question.

The main task of the Ministry of Enterprise, Opportunity and Innovation is to ensure that we have a competitive and attractive business climate in which all businesses, including the auto sector, can expand and create even more jobs.

The auto industry, as the member mentioned, is extremely important to Ontario's economy. That's why last Wednesday, Minister Flaherty hosted an automotive round table with experts from the industry, including automakers, parts companies, academics and representatives from the CAW, as well as the federal government. This is the first step toward strengthening the industry not only in Ontario but in Canada. It's also the first step toward laying the foundations for a long-term strategy for the auto industry. We will do whatever is needed, as government, to facilitate new ideas and fresh approaches.

**Mr O'Toole:** Thank you very much for that response, Minister.

I was pleased to attend the round table myself, along with other industry leaders as well, as you've described. I indeed commend you and the minister for spending the whole day in your leadership role consulting and listening to the people who work in the auto sector. I think it's important to listen to the ideas of those who work in the field and to hear the thoughts they have on strengthening the industry.

There is, however, one concern about the follow-up to the round table consultations. Minister, what will be the outcome of the round table and what does it mean for the men and women, not just at General Motors and the assembly line but the entire auto sector in the province of Ontario? What are the next steps?

**Hon Mr Turnbull:** As I mentioned, the round table was an important first step toward forming a long-term strategy to strengthen the automotive industry. But as the member from Durham points out, it was just a first step, which is why we have committed to releasing a follow-up report, an action plan, on the many new and innovative ideas that we've heard at the round table, by the middle of June. This action plan will address ways in which Ontario can continue to attract new automotive investment and jobs—investment and jobs that will help areas such as Durham region.

We've also committed to reconvening an auto advisory council as a way to work through some of the concerns raised at the round table and develop a long-term vision for the industry. We also plan to meet the mayors and municipal officials and CEOs of the key companies.

The auto industry is one of the very important sectors of Ontario, and the government values the contribution it makes to our economy.

## CURRICULUM

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. I have here a copy of your curriculum of a few years ago—a nice cover; and you like to talk about it a lot. But here's a

newer report, the Bailey bridges project out of the Niagara board. The Niagara board has spent eight weeks looking at the impact of your curriculum on struggling students. They call it the Bailey bridges report because that's what they did in the Second World War: they put up temporary bridges and helped them get out to the other side. The problem is that this isn't about a natural disaster or war; it's about the disaster of your lack of commitment to these kids. They document thousands of kids who are struggling. They say, "What has become very apparent is that the new curriculum, while in itself a necessary change, was hurriedly put together, poorly planned, implemented in an unworkable fashion and grossly underfunded."

Minister, today what I want to find out from you is, are you prepared to build a Bailey bridge of your own? Are you prepared to help these kids in time for next year? Will you announce today the kind of support you're going to extend to the thousands of kids in Niagara and elsewhere who are suffering because of your lack of support for the curriculum?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I appreciate the information that you've brought to my attention. I'd be pleased if you would give me a copy of the report that has been done by the Niagara board.

As the member knows, our intentions are to provide the best curriculum for the students in Ontario. I certainly am aware that some of our students are having difficulties, as students have always had. There is a need to provide them with remediation support. I'd be happy to take a look at the report. You can be assured we will do what is in the best interests of students in order that they can succeed and achieve success.

**Mr Kennedy:** Minister, let's find out, because the Niagara board talked to almost 1,200 people for this report. I understand this is the first comprehensive look at what's happened under your curriculum.

You have known, though, that 40,000 students failed math in grade 9. You've known about that. You've known about the absence of credits for almost 50,000 kids in the same program. Randall Daly, the frontline principal who did this report, says, "The results show that students are frustrated beyond belief, parents have disengaged, teachers are overworked and continue to feel unappreciated, books are scarce, and resources are few."

On February 8, you talked about the need for corrections. Your predecessor has known about this for a long, long time. Is your tenure as minister going to be a protracted charade? Are you actually going to hear or just pretend to listen?

There's a report here. It's built on what's happening in this province. The evidence is there that there's an urgency to act for next year. All you have to say today, Minister, to people like Mike and Kaley Mihalich, who live in Sarnia and are doing well but are finding it so stressful they can't hold down jobs, they can't live a normal life, partly because of the lack of support for the curriculum—Madam Minister, I have a very quick ques-

tion. Will you be abandoning kids like the Mihalichs or will you today be telling them there will be something extra for them, a Bailey bridge, some tangible support in the budget—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Mrs Witmer:** We are well aware of the fact that there are some students who are going to need assistance and support. I have already started meetings with parents, teachers, educators, individuals who are well acquainted with the curriculum. Obviously we've already invested as well. We've provided \$25 million for remedial programs for students in grades 7 to 10 in 2001 and 2001-02.

But again, I would very much appreciate receiving a copy of the report. I do believe we need to take a look at the report and at the recommendations. I can tell you we want to work with the Niagara board and with other boards in order that we can help the students in this province achieve success. That's our ultimate goal.

#### HIGHWAY 401

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Transportation. The people in Northumberland continue to lobby for upgrades to Highway 401. As you're aware, Minister, in Northumberland the annual increase in the urban population is 3%. There's a thriving tourist industry and a dynamic economy.

County council is concerned about the number of detours on to County Road 2, previously provincial Highway 2. Northumberland needs a transportation corridor that can meet the growing needs and provide increased road safety. Recently you and I jointly made an announcement.

Minister, can you please explain to my constituents and the business community in my riding of Northumberland how this project will indeed help?

**Hon Norman W. Sterling (Minister of Transportation):** I'm always glad to make announcements on roads that lead east. We understand the need for good transportation links, particularly for the economy of the member's area in Northumberland. That's why I was pleased to announce most recently significant improvements to Highway 401. We're spending \$21 million to widen Highway 401 from four to six lanes between Northumberland County Road 2 and County Road 28. As well, we will be constructing a cement barrier down the centre of the highway in order to provide enhanced safety for motorists going down that way. As I said last week, I do happen to travel that way quite frequently back and forth each weekend.

Supporting economic growth is important not only for Northumberland but for all of Ontario. Our transportation corridors like Highway 401 are essential to that growth.

**1520**

**Mr Galt:** Thank you very much, Minister. I appreciate that response. Also, the people of Northumberland ap-



preciate that centre barrier. It has certainly saved a very, very large number of lives.

Minister, as you are aware, there are a lot more lanes going out of Toronto to the north and to the west than there are going to the east. The limited number of lanes on the 401 going east to serve eastern Ontario, particularly Northumberland, has limited the capacity of those areas. The limited number of lanes going east results in unnecessary traffic jams and long delays. Will this \$21-million investment in the 401 in the Port Hope area assist in the long-term investment in Northumberland county?

**Hon Mr Sterling:** It certainly will. This government is proud not only of what it's doing for roads and transportation east, but we've been doing things all over this province. In fact, since 1995 we've invested \$6.5 billion in improving our infrastructure—unheard-of amounts prior to our government coming to power.

This is of course important to Northumberland; I understand that. As well, in the east we're building a considerable highway, 417, west of Ottawa; to the north we're including Highway 69 and Highway 11; and we're doing the TransCanada Highway east of Sault Ste Marie, just to name a few of the projects. We're looking at improvements to our international boundaries as well. We are investing. We have invested in the past and we will invest in the future in the infrastructure of Ontario, particularly with regard to transportation.

### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the Premier. Today the Ontario Health Coalition released a report regarding Ontario's long-term-care facilities. That report clearly shows that changes in policy made by your government to benefit for-profit long-term-care facility operators comes at the expense of seniors and residents who need care in these facilities.

For example, since 1999 your government has eliminated the requirement to provide a minimum of 2.25 hours of care per resident per day in nursing homes; eliminated the requirement to have a registered nurse on duty 24 hours per day, seven days a week; eliminated the requirement for nursing homes to submit staffing schedules to the Ministry of Health; eliminated the requirement to reserve the majority of long-term-care beds as ward accommodation; and reduced by 40% the number of annual inspections of long-term-care facilities between 1996 and 1999.

The question, Premier, is: when is your government going to stop catering to the demands of the for-profit long-term-care operators and finally start responding to the serious health care needs of residents in our long-term-care facilities?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer this question to the associate minister of long-term care.

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** This report today is a report that

was prepared for the Hospital Employees' Union of British Columbia by the Ontario Health Coalition. In fact, I haven't had a chance to look at the report yet and I wonder if it indeed mentioned the fact that while the NDP was in government, not one single new long-term-care bed was built in this province.

That aside, the questions that the member opposite raised today about the minimum requirement of nursing care in nursing homes in our province—each and every resident in a long-term-care facility is assessed according to his or her needs. That's the level of care required for each one of those residents in that facility.

The question that the member also raised with respect to having a registered nurse on duty—the Nursing Homes Act states that a registered nurse must be available to each long-term-care facility 24 hours a day, seven days a week. In fact, the ratios of private to not-for-profit and charitable homes really hasn't changed since their party was the government.

**Ms Martel:** Minister, I suggest you read the report, because the facts in the report are very clear. The report goes back to a report commissioned by your government that was released in January 2001, done by Price-waterhouseCoopers, which showed the results of a massive study that compared the situation in Ontario's long-term-care facilities with others in Canada, the US and Europe. They showed that Ontario's long-term-care facilities have the lowest level of nursing care across all jurisdictions studied; Ontario's long-term-care facilities have the lowest level of rehabilitation services across all the jurisdictions studied; and Ontario's long-term-care residents with behavioural problems receive 10 minutes of therapy per day, among the lowest levels across all of the jurisdictions studied. Your changes with respect to nursing care, with respect to the minimum level of care provided, have had a direct, very negative impact on residents living in long-term-care facilities.

In light of the report released today, in light of the report funded by your government and released in January 2001, will your government now implement new standards of care in Ontario's long-term-care facilities so that Ontario can finally be at the top instead of at the bottom of the heap when it comes to caring for residents in long-term-care facilities?

**Hon Mr Newman:** Our government has demonstrated, without a doubt, that we are committed to providing quality, sustainable long-term-care services in Ontario. We recognize that, as the population ages, increased demands on long-term-care services will be felt. That's why we moved forward in 1998 on an ambitious \$1.2-billion plan to construct 20,000 new long-term-care beds, as well as to refurbish up to 16,000 beds in the class D facilities in our province.

We have a strong commitment to long-term care. In fact, when the member opposite was part of a government for five years, not one single new long-term-care bed was built in this province, at a time when everyone agreed that we had a growing and aging population. This government does not need to take a lecture from the

NDP on caring for our seniors in long-term-care facilities.

### COMPETITIVE ELECTRICITY MARKET MARCHÉ COMPÉTITIF DE L'ÉLECTRICITÉ

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** My question is for the Minister of Energy. Minister, last week the member from Scarborough East said in this House that no one from his government signed an electricity contract. I ask you, could this be because your government has concerns about the legality of these contracts?

Ontarians have been misled, threatened, harassed and forced to sign contracts. Many seniors were told that their hydro would be disconnected if they didn't sign the contract immediately, while others have had their signature forged on these contracts.

Here are a few hundred examples that I received from a Glengarry news clipping. The Quesnel family were told, "You have 20 minutes to sign or else we're cutting your power off." I'll give you this copy. I have the Cloutier family. They were told that they had signed a contract, which they never did. They are still waiting for a copy. They've been waiting for months. On my own contract, they forged my signature twice in a year. On this contract, the Marchand family from Embrun were approached by a gentleman at the door who was saying he was from Embrun Hydro—false again. They were from Direct Energy.

My question to you, Minister, is, are you prepared to cancel all contracts signed prior to today and bring in a standard contract to protect Ontario consumers? Secondly, would you revoke the licences of retailers such as the Ontario Energy Savings Corp, who, I am told, are thieves who have misled, threatened, harassed and forged signatures on many of their contracts?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I think it's very fortunate he has made those comments in this chamber rather than outside.

**Interjection:** Maybe not.

**Hon Mr Stockwell:** Maybe not. The fact of the matter is, if these are examples—and I have no reason to doubt the honourable member; I know him to be a very honourable and sincere man—you should bring those to the attention of myself or the Ontario Energy Board. You're not even just talking about unethical practices, you're talking about criminal actions with respect to forging signatures etc. This is well beyond the scope of even the energy board with respect to reviewing them. I'm sure they would, but this is a criminal action that should be investigated by the police.

So yes, I will be happy to review those issues and certainly they can be dealt with by the Ontario Energy Board. As I said last week to your honourable friend Mr Conway, these are exactly the kinds of things—if you can bring them to the attention of myself and the Ontario

Energy Board—we'd like to look into. And yes, the energy board has the teeth to withdraw licences if that's what is necessary.

1530

**Mr Lalonde:** It's in police hands already. We need a stronger ruling at the present time. You are too weak.

Monsieur le ministre, selon l'information reçue d'un de vos membres, le député, votre gouvernement voudrait vendre Hydro One dû à sa mauvaise gestion. Au mois de mars dernier, Hydro One faisait parvenir une lettre adressée à chacun des résidents et résidentes d'une ville de ma région qu'à compter du 1<sup>er</sup> février 2002, le coût de l'électricité serait de 7,67 cents le kilowattheure. J'ai immédiatement appelé Hydro One pour des explications. Ils m'ont confirmé que la lettre portait dans l'erreur et aussi à la confusion, mais je me suis aperçu que le lendemain, après qu'on a fait parvenir ces lettres, un des vendeurs d'une filiale d'Hydro One cognait à chacune des portes pour faire signer un contrat avec une augmentation de 38,37 %.

Hydro One a commis une grave erreur. Je crois que vous avez une responsabilité. Comme certains députés de votre gouvernement reconnaissent qu'il y avait une mauvaise gestion au sein d'Hydro One, avez-vous l'intention de procéder à un—

**The Speaker (Hon Gary Carr):** Order. The member's time is up. Minister?

**Hon Mr Stockwell:** Again, some of the allegations are in fact criminal by nature. I'm not suggesting for a moment that investigation isn't proper, but I'm seriously suggesting to the member opposite that if you haven't reported these to the police, you should. Furthermore, if the allegations you're making have substance and weight, if you provide that kind of information to the Ontario Energy Board, they are in fact entrusted with the responsibility of investigating circumstances exactly as you speak. They have the power to fine, to roll back, to wipe out contracts altogether and to withdraw the licence.

I say to the member opposite, I suggest you avail yourself, through the legislation that was passed, of the powers of the Ontario Energy Board, because exactly what you're asking me to do already rests with the Ontario Energy Board. If you seek through them some kind of reprisal, you will get it if your allegations prove to be true. I encourage you, I beg you, to go and see them, put this stuff before them, and they will clean up this nasty bit of affair.

### NORTHERN ONTARIO DEVELOPMENT

**Mr Al McDonald (Nipissing):** My question is for the Minister of Northern Development and Mines. I'd like to take this opportunity to congratulate the minister on his new responsibilities. I know that northerners will be well-served by his appointment.

During my by-election in Nipissing, I met many people and had the opportunity to speak to many of them about their concerns. One of the concerns that seemed to be consistent among the people of my riding is about the



economic challenges that northerners so often face. I've also heard from residents regarding the recent census data that's showing the population of the North is declining.

What initiatives are underway to bring prosperity to our northern communities?

**Hon Jim Wilson (Minister of Northern Development and Mines):** I, too, want to congratulate the honourable member, Mr McDonald, for his by-election victory. I want to say, on behalf of all of us in caucus who campaigned with him, we saw first-hand that he's a man of integrity, of honesty and he already has an incredible track record as the now former deputy mayor of North Bay of serving the people of northern Ontario. I say to the Premier that Mr McDonald or Mr Miller, who are both northerners, would make excellent Ministers of Northern Development and Mines when I retire, because it's the best job in government.

We are working very hard to improve economic conditions in the north. In fact, the goal is to ensure that northerners have the same economic equal opportunities that we have for jobs and prosperity here in the south. To do that we've increased the northern Ontario heritage fund, a fund that was gutted by the previous government: doubled it to \$60 million, \$300 million in five years; \$1.3 billion have been spent by this government since 1996 on improving the roads and highways in northern Ontario, which will help bring jobs—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Mr McDonald:** I'm pleased to hear the good work our government has done for the north. But as the minister knows, there is more to be done.

On May 9, the government set out its priorities for the coming session in the speech from the throne. I would like to ask the minister what throne speech commitments will benefit the north.

**Hon Mr Wilson:** The throne speech contained a lot of good news for northern Ontario, and for Ontario generally, for that matter. Mr Eves, the new Premier, enshrined in the throne speech his commitment to northern Ontario to build full, equal campuses at the new medical school in northern Ontario in Sudbury and Thunder Bay.

The new Premier also enshrined in the throne speech—"Promises made, promises kept"—that we would introduce northern tax incentive zones. These tax incentive zones will allow local northern and rural communities to attract new businesses, new jobs and prosperity for their areas by giving them a leg up and allowing those businesses to prosper in an area of the province that traditionally has higher costs for businesses and therefore more difficulty in creating jobs. That will be a first for Ontario. It will be a first for much of Canada. It is something that we're very proud of. I know it will bring new jobs to the north. It will help build upon the successful record that this government has had in increasing jobs. Even though the population has been going down, the number of jobs has been going up for most of the north.

## AFFORDABLE HOUSING

**Mr Dominic Agostino (Hamilton East):** My question is to the Premier. Your government six months ago signed a memorandum of understanding with the federal government regarding affordable housing. This agreement would allow \$245 million of federal money to come into Ontario to help with affordable housing.

Let me remind you that since you signed this deal, 14 homeless people have died on the streets of Toronto in the last six months.

The intent of this deal is specifically to put new provincial money on the table. The agreement says, "Provinces and territories will be required to match federal contributions overall."

Premier, you're on the verge of signing this deal. A simple question: will you stand up and guarantee today that there will be \$245 million in new provincial dollars on the table to match the federal contribution?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I refer this question to the Minister of Municipal Affairs and Housing.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** Yes, we are getting very close to signing a housing agreement with the federal government. It's something I had the honour of being the chair of at the provincial-territorial ministers' meeting last year. We worked it out in London and again in Quebec City in November. Ontario's signing will take place in the near future.

You're asking me to match what the federal Liberals have done. It's the first time in 10 years that the federal Liberals are putting money into housing, but let's not get carried away. I explained to the House last week that they make \$400 million a year from CMHC. There are only two places that money comes from: it's passed on to tenants in the form of the insurance premiums for rental accommodation, and also, for the people who can't afford the full down payment of 25% for the banks, they insure. So they make \$400 million. They're putting back \$170 million a year. They are still netting \$230 million. If you're asking Ontario to match that, I would have to cut the \$879 million we spend annually and then figure a tax on poor people for \$230 million. Surely that's not the Liberal position in this House.

**Mr Agostino:** The minister would like to fool people to think this \$875 million goes toward—that's a shelter subsidy mostly for people on welfare, and you know that, Minister. Not one cent of that money goes toward affordable housing.

The reality is that the federal government, in cahoots with you, has sold out homeless people in Ontario. This deal you're ready to sign is a bad joke. It's a sham. You are to blame. The federal government is being irresponsible and gutless in signing this deal with you. This does not help homeless people in Ontario. This does not build low-income housing. The reality of the deal is that you are not committing one new cent. What you are doing now is you're going to take municipal contributions,

private sector contributions, and claim it to be Ontario's contribution to this deal. That is a bad deal. The federal government should not sign this deal with you. You have let people down. You have let homeless people down in Ontario. Very clearly, this government, if they are serious, will match the \$245 million.

Frankly, I say to you, don't sign this deal unless you've put your money on the table, because you are not living up to the intent—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up. Minister?

**Hon Mr Hodgson:** Through this rant, I seem to gather that the new McGuinty Liberal position for Ontario is to block federal money from coming to the province of Ontario. So that's your position: block any federal money. That's not our position. Our position is to co-operate with the federal government and municipal governments to try to alleviate the shortage of affordable housing.

If you're against affordable housing, say it. You've put it clearly on the record that the McGuinty Liberals are against federal money coming into Ontario.

On our side, we have to be responsible. We do not agree with you.

1540

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is to the Minister of Labour. In the next couple of weeks the Lions Club, where I'm a member, will be participating in a walkathon to raise funds for safe communities. Can you tell us more about the Safe Communities Foundation? How has your ministry partnered with this organization?

**Hon Brad Clark (Minister of Labour):** The Safe Communities Foundation started about six years ago as a result of a tragic loss that affected an Ontario family. In 1994, Sean Kells went off to work one morning, and it was his third day on the job, a part-time job. He was 19 years old. At work, Sean was pouring a flammable liquid when static electricity ignited it and Sean lost his life. From that, Sean's father, Paul Kells, determined that other parents and families should not have to undergo such a devastating tragedy.

Paul Kells has a vision, a vision that we happen to share: changing our culture to a safety culture so that no one else would ever have to suffer like his son and family did. His dedication and determination resulted in the creation of the Safe Communities Foundation. Safe Communities is a national, not-for-profit charitable organization. There are 22 of them in Ontario. I'm proud to have one of them in Hamilton. The Ministry of Labour works as a partner with this foundation, as does the WSIB.

**Mr Gill:** Thank you, Minister. I understand that the Safe Communities Foundation is in the process of rolling out the passport to safety program for young workers. Can you tell us more about this important initiative?

**Hon Mr Clark:** It's an educational program. We happen to believe, on this side of the House, that injuries are

preventable, and so we work to that end. A part of preventing injuries is through education. The passport to safety program is an education program and employment tool aimed at protecting our youth when they go to work.

While Ontario's work in the field of youth and health and safety has made great strides, last year approximately 16,000 young people suffered lost-time injuries at work. Passport to safety has been successfully piloted in Peterborough and Safe Communities Foundations right across the province. Young people between the ages of 15 and 24 receive a booklet, a passport, which they use just like travelling. The page gets stamped for every recognized safety course that that student successfully completes. Students are recognized by their potential employers as being value-added employees of their corporation. Employers want employees to understand what safety is all about and to prevent injuries, and we work with them to that end.

#### WATER QUALITY

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Premier. In Mr Justice O'Connor's report, he makes it very clear that both the Liberals in Ottawa and your government have failed virtually absolutely to ensure the delivery of safe, clean drinking water to First Nations. In fact, in his report, he spends a great deal of time dealing with that particular issue, and he recommends that your government make available to First Nations, should they ask for it, not only assistance with training of water operators but also, on a cost recovery basis, a number of other elements which go into the delivery of safe, clean drinking water.

Premier, your government is across the far north, telling First Nations you want access to the minerals on their property, you want access to the timber on their territory. But it seems when it comes to another resource—safe, clean drinking water—you're not there. If you want the timber and you want the minerals, are you prepared to work jointly with First Nations and perhaps the federal government to ensure that safe, clean drinking water is available?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Yes, we are.

#### PETITIONS

##### POST-SECONDARY EDUCATION FUNDING

**Mr Rick Bartolucci (Sudbury):** This petition is from the College Student Alliance Partners in Learning and it's about the double cohort and quality.

"Whereas by eliminating the fifth year of high school the government of Ontario has created a double cohort of students; and



"Whereas the government of Ontario has promised that there will be a space at a university or college for every willing and qualified student; and

"Whereas Ontario's universities and colleges have not received sufficient funding from the government of Ontario to accommodate these double cohort students; and

"Whereas the quality of education at Ontario's universities and colleges has been declining in recent years; and

"Whereas the double cohort students will add an additional strain on an already fragile university and college system;

"We, the undersigned, petition the Legislative Assembly of Ontario to: provide full funding for every new student entering Ontario's universities and colleges; provide additional funding to increase quality at Ontario's universities and colleges; provide targeted funding to colleges for skills and innovation; and increase the per student funding to the national average over the next five years."

I affix my signature to this petition.

#### ANIMAL PROTECTION

**Mr Ted Arnott (Waterloo-Wellington):** My petition is on behalf of the member for Guelph-Wellington, who is unable to present petitions because she sits in the cabinet.

"Petition to the government of Ontario:

"Whereas it is immoral to use lost, stray and abandoned animals, most of whom are former pets, for the purpose of experimentation, particularly if it is not done for their direct benefit;

"Whereas turning over unwanted animals for research is a misuse of tax dollars and undermines the public trust in municipal animal control systems;

"Whereas 11 US states and several countries, including Great Britain and Sweden, have prohibited the use of pound animals in research without any negative consequences for human health and public safety; and

"Whereas over 1,000 cats and dogs from animal control facilities are used for experimentation each year in Ontario;

"We, the undersigned, petition the government of Ontario to amend the Animals for Research Act to ban the use of pound animals for experimentation."

#### HYDRO ONE

**Mr Dave Levac (Brant):** I have a petition to the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that

carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I sign my name to this and give it to Travis, our page.

#### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998; and medical school tuition has and continues to increase in excess of 300% such that at some universities tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education."

This petition is signed by a number of residents from Leamington, Wheatley and Ruthven. I too sign this petition.

1550

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** A petition to the Ontario Legislature:

"Whereas Ontario disability support program recipients have not received a cost-of-living increase since 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs

such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas Ontarians with disabilities are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met, including adequate housing and a proper and healthy diet; and

"Whereas their basic needs are no longer being met because the Ontario government has not increased the shelter and basic needs allowances for the nearly 190,000 Ontarians on ODSP, and because increases in Canada pension plan benefits are clawed back;

"Therefore, we, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario to provide a cost-of-living increase of 2% per year retroactive to 1987, with a continued annual indexing at 2.4%, to give ODSP clients the dignity of a living benefit."

I'm pleased to add my name to this petition, signed by hundreds and hundreds of Ontarians.

#### CHILDREN'S HEALTH SERVICES

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition to stop the closure of cardiac surgery services at CHEO.

"To the Ontario Legislature:

"Whereas the Conservative government plans to close cardiac surgery services at the Children's Hospital of Eastern Ontario;

"Whereas the Conservative government plans to centralize all cardiac services for children in Toronto;

"Whereas cardiac surgery at CHEO is an essential service for children in eastern Ontario;

"Whereas many children such as Shawn McCarty, the 'miracle baby,' would not have survived had the cardiac surgery services not been available in Ottawa;

"Therefore, be it resolved that the undersigned petition the Ontario Legislature as follows:

"To demand that the Conservative government halt immediately its decision to close cardiac surgery services in Ottawa."

I add my signature.

#### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserved area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

I will affix my signature to this petition.

#### EDUCATION FUNDING

**Mr Ernie Parsons (Prince Edward-Hastings):** "To the Legislative Assembly of Ontario:

"Whereas the funding for school boards is now based on student-focused funding legislative grants for the 2001-02 school board fiscal year;

"Whereas the Hastings and Prince Edward District School Board is in a period of declining enrolment, a trend that is projected to continue over the next five years;

"Whereas application of the student-focused funding model for 2001-02 does not allow sufficient funding for the Hastings and Prince Edward District School Board for secretarial support in schools, principals and vice-principals, transportation, or school operations;

"Whereas costs in these areas cannot be reduced at the same rate as the enrolment declines.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reassess the student-focused funding legislative grants for the 2002-03 school fiscal year to provide additional funding for those areas where funding is insufficient and to adjust future student-focused funding ... to address the situation of declining enrolments faced by the Hastings and Prince Edward District School Board and other boards in Ontario."

I will add my signature to this.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** "To the Legislative Assembly of Ontario:

"Whereas people with Alzheimer's disease deserve to have equal access to the full range of drugs, including Reminyl; and

"Whereas Reminyl has been proven to be a viable alternative to Aricept and Exelon and will provide an alternative for people for whom the other two other drugs are not a good therapeutic choice; and

"Whereas there is a need to broaden the choice of therapeutic alternatives for persons with Alzheimer's disease; and

"Whereas without coverage under the Ontario drug benefit plan, many people for whom Reminyl is the most appropriate therapeutic choice will not be able to afford this drug;

"Therefore, we, the undersigned citizens of Ontario and residents of northwestern Ontario, petition the Legislative Assembly as follows:

"To add Reminyl to the Ontario Drug Benefit Formulary at the earliest possible opportunity."



This is sent in by the Alzheimer's Society of Thunder Bay and I'm pleased to sign my name to the petition.

### INSURANCE CLAIMS

**Mr Dave Levac (Brant):** This petition brings over 200 voices from the people of Ontario to the Legislative Assembly of Ontario.

"Whereas it behoves us to ensure the practice of justice in all cases, and for all persons; and

"Whereas the statute of limitations applies in cases where it has been impossible to tell for many years what the truth of an insurance claim was;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The laws concerning the statute of limitations for insurance claims should be suspended if it has been discovered that there was a possibility of evidence tampering and/or it is discovered that the case was investigated poorly, causing hardship to those who were wrongly blamed" for car accidents in the province of Ontario.

I put my name to this and share this with Jean-Alexandre, our page.

### HYDRO ONE

**Mr Rick Bartolucci (Sudbury):** My petition is to the Legislative Assembly of Ontario.

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I affix my signature to this petition.

### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario and it's entitled:

"Listen: Our Hearing is Important!"

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature to this petition.

### POST-SECONDARY EDUCATION FUNDING

**Mr Rick Bartolucci (Sudbury):** This petition is regarding the double cohort and quality. It's from the College Student Alliance, Partners in Learning, and it says:

"Whereas by eliminating the fifth year of high school, the Ontario government has created a double cohort of students; and

"Whereas the government of Ontario has promised that there will be a space at a university or college for every willing and qualified student; and

"Whereas Ontario's universities and colleges have not received sufficient funding from the government of Ontario to accommodate these double cohort students; and

"Whereas the quality of education at Ontario's universities and colleges has been declining in recent years; and

"Whereas the double cohort students will add an additional strain on an already fragile university and college system;

"We, the undersigned, petition the Legislative Assembly of Ontario to: provide full funding for every new student entering Ontario's universities and colleges; provide additional funding to increase quality at Ontario's universities and colleges; provide targeted funding to colleges for skills and innovation;" and finally, "increase the per student funding to the national average over the course of the next five years."

I affix my signature to this petition as well.

1600

### ORDERS OF THE DAY

#### TIME ALLOCATION

#### ATTRIBUTION DE TEMPS

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime, when Bill 69 is next called as a government

order, 60 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties; and

At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Deputy Speaker (Mr David Christopherson):** Mr Baird has moved government notice of motion number 4. Is it the pleasure of the House—

*Interjection.*

**The Deputy Speaker:** I want to see if there's any debate. Do you want to speak? Fair enough. The member for London-Fanshawe.

**Mr Frank Mazzilli (London-Fanshawe):** Today we begin third reading of Bill 69, the Prohibiting Profiting from Recounting Crimes Act. Joining me in the debate will be the members for Bramalea-Gore-Malton-Springdale and York North. I also know members from across the way will certainly be joining the debate.

I want to say clearly that our government believes in debate on these very important bills. On this particular bill, to date there have been 7.4 hours in debate in this Legislature over this matter. I know that my good friend from Niagara South, I believe it is, will be joining the debate, and he'll likely have some things to say about not having enough time to debate this matter. But in fact, he's already spoken for 63 minutes, and I certainly value another 63 minutes of his contribution to this debate.

I'm pleased to participate in the debate on this very significant bill. Bill 69, the Prohibiting Profiting from Recounting Crimes Act, is an important part of our government's commitment to help victims of crime and to take the profit out of crime. We need to protect vulnerable victims. In the Blueprint, we promised to support victims. We've kept that promise and we're continuing to do even more.

We recognize that the victims of crime need help in coming to terms with traumatic experiences they are forced to go through because of criminal activities.

We've also taken action, and will continue to take action, on taking the profit out of crime.

This legislation is linked to the Remedies for Organized Crime and Other Unlawful Activities Act, which was recently proclaimed into law. Let me take a moment to comment briefly on the purpose of this law, because it complements Bill 69, which we are debating here today. The Remedies for Organized Crime and Other Unlawful Activities Act—

Excuse me, Mr Speaker. I certainly have a throat problem. If I could be excused from this debate for a moment.

**The Deputy Speaker:** It's not a problem. We'll stand down your time and I'll look to another government member. The member for York North.

**Mrs Julia Munro (York North):** I'm pleased to be able to rise today and speak to the Prohibiting Profiting from Recounting Crimes Act.

I think it's important to see this bill in context, a context that has been a government priority since 1995. We have recognized the importance of helping the victims of crime, and in this bill then to go one step further and take the profit out of crime.

This bill would require criminals to forfeit profits that could be made from recounting their crimes. It would establish a fund from the forfeited proceeds that would be made available to victims. If passed, it would obviously then stand as a testament to the continuing concern this government has in relation to helping victims of crime.

Our record on assistance and support to victims is a long and successful one. We are certainly proud of the continuing attention, and continue to provide this support. For example, we have passed the Victims' Bill of Rights, which sets out the basic tenets regarding victims in the justice system. In June 2001, the government proclaimed the Victims' Bill of Rights Amendment Act, 2000, to create the first permanent Office for Victims of Crime in Canada.

The Office for Victims of Crime gives victims a stronger voice in the justice system. It recognizes that victims deserve to have their voices heard. The Office for Victims of Crime provides advice on a number of issues. It helps to improve access to services for victims. It helps to ensure that programs for victims are distributed appropriately. It also helps to assist victims in accessing services in all areas of the province.

This government has also sent a strong message that domestic violence will not be tolerated in Ontario. We have created the domestic violence court program, the largest of its kind in Canada, and allocated funding to support victims of domestic violence and their children. The domestic violence court program is being expanded across the province to better support victims and hold their abusers accountable.

Our government's victims' justice action plan is committed to enhancing and expanding services for victims across the province. As part of this plan, we are expanding the victim/witness assistance program across the province to support victims and witnesses as they make their way through the justice system; adding new victim crisis and assistance referral service locations to provide crisis intervention services to victims of crime and disaster; and finally, expanding the support link program to 13 additional programs across the province. This program provides free wireless phones that are pre-programmed to dial 911, and personal safety planning for victims at risk of personal harm from sexual assault, domestic violence or stalking.

The supervised access program is also being expanded to a total of 77 locations providing supervised access services throughout the province, far exceeding this



government's commitment to expand to 54 locations. Supervised access centres provide safe settings for visits and exchanges between children and non-custodial parents or other adults involved in custody and access matters.

We are doing our part, but there is more to be done. Over and over again, we have asked our counterparts in the federal government to change aspects of the Criminal Code that would provide better protection to victims and would hold offenders accountable for their crimes. One example is bail conditions. We have asked that they be toughened by reversing the onus of proof in bail proceedings in domestic violence cases. This would put the burden on accused individuals to demonstrate that their release would not be a further threat to the victim or victims of the accused.

Bill 69, then, is one more step to assist us in achieving our objective of helping victims in every possible way. This legislation, if passed, would provide for funds for victims from the money generated by a convicted person's writing about or otherwise recounting his or her crime. It would also allow victims access to these funds without having to obtain a civil judgment. Finally, it would strengthen the enforcement mechanisms that are currently in place under existing legislation.

The proposed bill, if passed, would not affect rights that victims already have. For example, victims could still sue the criminal in court to obtain a civil judgment. Why might this be necessary? Let me explain. For instance, a criminal may try to avoid the impact of the bill by agreeing to receive only a minimal sum of money from a publisher for a crime recollection. Since only a small amount of money would be forfeited to the crown for distribution to victims, a victim may still wish to sue a criminal for any harm suffered. In this way, a victim could gain access to any other assets held by a criminal once a civil judgment is obtained.

I think it's important to understand just the kind of applications this bill would have. Obviously, we're talking about people who have been convicted of a serious violent crime or a serious property crime designated under the act. It also covers people who might be acting on behalf of the criminal, such as a spouse, a partner or other relative. It includes a corporation in which the convicted person has a substantial interest and it also covers those who have been accused for the purpose of an interim freeze order.

1610

Offences that could be covered by the bill include sexual assault with or without a weapon; attempted sexual assault with or without a weapon; aggravated sexual assault; all violent indictable offences carrying a sentence of five years or more; and, finally, a serious property offence under the Criminal Code.

The kind of thing that would happen is where someone who has been convicted and is then involved in any kind of contract would be liable and would fall under this bill. A contract would include any money paid to a convicted person, either before or after a conviction. This

would cover a literary or media description or recollection of the crime, the use of documents that may be related to the crime, an interview with the convicted person about his or her crime, or an appearance on a television or radio show by the convicted person. From this, you have a sense of exactly who we are speaking about who might be prosecuted under this.

The kind of thing that I would also like to deal with is the fact about the guarantee: will this person, the victim, be guaranteed to receive the funds? If this bill is passed, victims would be entitled to be compensated from any funds that are forfeited to the crown. That is, of course, one of the main purposes of this bill. The bill provides for the payment of all forfeited funds to be kept in a special-purpose account. This clearly would be kept separate from other monies in the consolidated revenue fund. The bill provides that payments may be made out of the account to compensate persons who suffered losses as a result of the crime and to assist victims of crime. Details of the criteria and procedures for this payment would be set out in regulation.

Let me point out that under existing legislation, the Victims' Right to Proceeds of Crime Act, these funds would have been treated as residual funds and returned to the criminal. Bill 69 does not return the funds to the criminal.

As I said before, the Prohibiting Profiting from Recounting Crimes Act is needed. Someone might ask the question, "How real a threat is this?" The intent here is to simply send the message that even a few instances of criminals making money by writing about their crimes is a matter of concern for victims and for their families, so it is as a response to their concerns that this bill has been structured. It has a very stringent reporting mechanism. If the bill is passed we certainly have to expect more information; for instance, someone providing a contract has 15 days in which to indicate to the government that this has been done. It will also protect people where the potential profit is actually outside the province. The court would have the opportunity to look at this on a case-by-case basis.

I think from this brief overview it is possible here to see how important it is for all members to support this bill and ensure that no one in this province, then, is able to in fact derive profit from recounting crimes. It is a part of our steps then to ensure that we are assisting victims of crime.

**The Deputy Speaker:** I've been advised by the member for London-Fanshawe that indeed his throat irritation is not going to permit him to finish off his remarks this afternoon. Therefore, we will go into the regular rotation.

**Mr Michael Bryant (St Paul's):** I'm glad to see that the member for London-Fanshawe is well and has recovered. He had to step down because there was a problem with his throat.

I, too, choked when I saw that yet another debate-killing motion was before this Legislature. There has been a record number of debate-killing motions. They're

sometimes called guillotine motions; they're sometimes called closure motions. The technical reference description, so that nobody knows what they are, is time allocation motions. That sounds friendly. That sounds very friendly.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** That's what the Liberals called them.

**Mr Bryant:** Look, two wrongs don't make a right, I say to the minister. This is precisely why Dalton McGuinty has proposed a democratic charter, to say once and for all to all members of the Legislature, let's not talk about what Ernie Eves did with all of his debate-killing motions. He's off to a great start—the great listener. This is what, his third week now in the Legislature? The great listener, Premier Eves, has now brought in a debate-killing motion. There's a great listener. Let's not talk about the 60-odd debate-killing motions that Premier Harris brought in. Let's not talk about the debate-killing motions brought in by the New Democrats and the Liberals past. Let's stop it once and for all. Let's create, and this is the purpose of the democratic charter, a scenario where we don't continually engage in these parliamentary tactics of partly revenge and partly a failure to adhere to what more often than not works.

You know what happens when you don't take—

*Interjection.*

**Mr Bryant:** I don't understand what on earth that member said, but I never do.

**Mr Peter Kormos (Niagara Centre):** It will go in Hansard by responding to it. Don't respond, because that means it will get into Hansard.

**Mr Bryant:** I thank the member. By the way, I'm sharing my time with the member from Sarnia-Lambton and the member for Brant.

In any event, what we are here to debate is a debate-killing motion on what amounts to an amendment to a private member's bill originally introduced by then-opposition MPP Cam Jackson. The bill was really rendered a dead letter. It was never used once by one Ontarian. That doesn't mean that it wasn't a worthy principle or idea codifying the common law. There has always been a common law principle that you cannot basically profit from a wrongdoing. In equity, you can't come to court with unclean hands and expect to profit from that. In fact, what Mr Jackson's bill did was codify it. It was very similar to Son of Sam laws introduced in US jurisdictions, many of which were struck down, by the way. In this case, this one was never struck down, for the simple reason that it never went to court. No one ever used it.

So why, you might ask, are we bringing in amendments to the Jackson bill? If in fact amendments were needed—and I don't know on what basis amendments could possibly be needed if the bill is never used—then why didn't we amend that bill? Instead, what's happening here is the Jackson bill is being killed. It's just gone. There's a provision in the bill which says the Jackson bill is dead.

Why would we do that? I'll tell you why. A couple of years ago, Princeton's prince of paper tigers—then-Attorney General Flaherty—on his way out the door decided to announce something like four bills in four days, and one of them was this bill. It is a paper tiger. We support the principle behind this paper tiger. We're going to support the bill because there's nothing really that's offensive about it except this. Of all the things that we could be doing right now to help victims of crime, passing a paper tiger is not one of them.

This government talks the talk about helping victims of crime. If this government wants to help victims of crime, then they need to fulfill their commitment to provide money promised by the Attorney General—past, present—of \$50 million to the victims' justice fund. Fifty million dollars. That's money promised by this government for the victims' justice fund. But has any of it been delivered? No. Ninety per cent of the money committed—promised—well over a year ago for the victims' justice fund is being held back. The announcement was made June 27, 2000, by the Attorney General, a \$50-million victims' justice fund. Quite a promise for victims.

1620

The fund is financed by victim fine surcharges. So victim fine surcharges are being used and brought back into the system to help victims. That makes sense. It was supposed to be spent on services for victims of crime. That makes sense. The victims' justice fund was announced in response to a report released by the Office for Victims of Crime. We heard the member opposite refer to that office and to that report, *A Voice for Victims*. It was an important recommendation. It said, "Put your money where your mouth is. Don't just talk about helping victims of crime; do something." And so a commitment was made in June 2000. And what has happened since? What has happened is that the money has sat there. I guess it incurs interest. I guess it grows. This \$50 million must now be, I don't know, \$60 million-plus. In the nearly two years that have passed since that announcement, incredibly, 90% of that money has not been let go; it's been held back. "Why?" I ask the government. You want to do something for victims of crime. Don't pass this bill that's a dead letter—

**Mr Kormos:** On a point of order, Mr Speaker: Is a quorum present?

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk at the Table:** Quorum is now present.

**The Deputy Speaker:** Quorum now being present, the member for St Paul's may resume his control of the floor.

**Mr Bryant:** I was talking about the victims' justice fund being held hostage by this government. More than 90% of a \$50-million fund announced nearly two years ago is just sitting there. It's not going for victims. It's not helping victims. It's just sitting there. Now, that money had better be released. If that money is going to be diverted to help the government balance the budget, it



will mean that the government has failed miserably in its mandate to protect victims of crime.

I do not see the justice in allowing money dedicated to victims of crime to just sit there while the government gets to take credit for it, money that is needed for victims of crime to just sit there and not go to the victims of crime.

If the government wants to send a message, as the member opposite just said, this debate-killing motion that we're debating about this paper tiger of a bill—if this government wants to send a message in favour of victims of crime, then what it needs to do is release the monies dedicated to the victims' justice fund, because the Office for Victims of Crime that the government member was pronouncing upon with great pride—and we should all have pride in the Office for Victims of Crime, but they did not recommend to have the victim's justice fund go nowhere; they recommended the creation of this fund to help victims. That's not happening, and that's a tragedy. Blowing smoke with this bill, bringing forth this paper tiger, does nothing for victims of crime. When it comes to protecting victims, this government is all talk and no action.

If the government wants to help victims of crime, instead of recycling an old idea of Cam Jackson's, why not start fighting against the fastest-growing crime in North America? It's unbelievable that this self-acclaimed crime-fighting government, this government that talks the talk about crime constantly—constantly talking the talk about crime. What are they doing about the fastest-growing crime in North America? Nothing. A couple of infomercials, to be fair. Mr Sterling did have a couple of infomercials. That tells you something. There is no initiative before this House from the government that deals with the issue of identity theft.

I have introduced a private member's bill, Bill 26. It is an Act to provide civil remedies for the victims of identity theft. The purpose of the bill quite simply is to help people who are victims of identity theft get their identity back—legally, that is. I know of one victim, whom I spoke to personally. We tried to help her out. She lives in Windsor. She doesn't want her name being used because she's had her identity ripped off only once. She is on ODSP, she is receiving disability payments. One day she receives a refund cheque from Revenue Canada. She calls up Revenue Canada and says, "How did I get a refund cheque?" They said, "Well, you know, you're employed in this company in the GTA and you've had several different jobs and you deserve a refund cheque." She said, "No, no. I don't work. I haven't worked since my injury, for over a year." So they said, "There's somebody with your name and your social insurance number who in fact is using your identity and presumably one day they will not pay taxes. They didn't get the refund this year."

So she went out, this victim of identity theft, to try and find out how to correct the problem and say to Revenue Canada, say to these new employers of hers, which of course weren't employers of hers, in essence, "I'm the

real McCoy. That other person with my name," the victim said, "in fact has stolen my identity." What she was told was that she would have to do all the dirty work: she would have to contact all the employers; she would have to contact the credit card companies; she would have to contact the consumer reporting companies. The victim would have to do all the work.

If you are a victim of, say, a break-and-enter, the police don't ask you and the prosecutors don't ask you to go out and find the property and bring it back. No, that's not something the victim should do; that's a job for the police, for prosecutors. I know of many police officers who are very frustrated by identity theft because there is no mechanism by which to help the victim get their identity back. So some of them will write a letter in support of the victim, saying, "This person has been a victim," but it's very haphazard. Sometimes a letter is written, sometimes it's not.

What I'm proposing through Bill 26 is a process by which we can help victims of identity theft get their identity back. Let's send this off to the Ministry of the Attorney General, have them look at the evidence. They don't have to deal with conviction; they can just deal with the evidence to make a finding, in essence, as to whether or not there is a victim of crime here and in those circumstances provide some kind of a certificate—

*Interjection.*

**Mr Bryant:** One moment, everybody. Stay tuned one more second.

**The Deputy Speaker:** Just what are we doing here with the House leader for the third party? Are you rising on a point of order?

**Mr Kormos:** I'm just counting.

**The Deputy Speaker:** Then stay in your chair. Stay in your chair.

**Mr Bryant:** Thank you, Speaker.

The other problem is, what do you do about unscrupulous companies that recklessly participate in identity theft? Fine, some companies are ripped off and misled, but what about those companies that have information in front of them and say, "This is odd, this is strange," companies that say, "It looks like there's more than one identity here, but you know what, we want the account so we're going to just go ahead and participate in this."

Any company that knowingly or recklessly participates in identity theft under the bill that I've introduced, Bill 26, will in fact be held accountable in our courts of law. There would be something new for victims of crime in Ontario, as opposed to recycling something that now Minister Jackson, then opposition member Jackson, introduced in 1995.

1630

Instead of recycling a seven-year-old idea, however well-intentioned that idea may be, why doesn't the government move forward on the fastest-growing crime in North America? In Ontario we have had, every year over the last couple of years, thousands of new victims of identity theft. Identity theft has been described by

Canada's privacy commissioner and Ontario's privacy commissioner as the fastest-growing crime in the jurisdiction. The Better Business Bureau has described countless cases of identity theft that have been brought to their attention. It is a huge problem. It involves, obviously, organized crime.

Instead of helping victims of identity theft—and that's what Bill 26 does; it helps victims of identity theft—plus doing what they ought to be doing, cracking down and preventing identity theft, we have this paper tiger, this Son of Sam law that's already on the books and already exists in common law, and we're going through it all over again.

To make matters worse, we're not even going to debate it. We're going to have a debate-killing motion. We're not even going to look at it. What happens when you don't look closely at bills? Two words: Justice Gans. That's what happens. When you don't look closely at bills, when you don't get it right, sometimes things come back to haunt a government.

Did the government get legal authority to sell off Hydro One? No, it never had that authority. It was very clear from then Minister Jim Wilson that the government had absolutely no intention of privatizing Hydro One, and so there was nothing in that bill to permit them to privatize Hydro One. There was nothing in that bill about the disposition of assets of Hydro One—so held Mr Justice Gans—and this government found out the hard way that when you rush bills through the Legislature, when you don't take a good look at bills, mistakes can be made, and that's my concern about this bill.

I know the member for Niagara Centre has concerns about the specifics of the bill—and we're going to hear from the member in a moment—but we're not going to get to debate those, are we? We're not going to get to send them to committee, I presume, or it's going to go to committee and we're going to spend about two minutes on it.

**Mr Kormos:** We've already had them.

**Mr Bryant:** We've already had committee hearings on it. It's over. The debate is over, and we're not going to get a good look at this bill. We're not going to get an opportunity to debate the amendments, because we have this time allocation motion before us.

What else could we be doing besides the victims' justice fund? I encourage Ontarians to turn to A Voice for Victims: The Report of the Office for Victims of Crime. There is recommendation after recommendation that sits there and gathers dust, day after day, as time after time the various rhetorical warriors in this government stand up and try to talk big talk about victims of crime. But when it comes to either putting their money where their mouth is or actually bringing in bills that will make a difference, what we find is that there's nothing.

I ask the government, what have they brought in since 1999 that has actually made a difference for victims of crime? They say, "We've made the Office for Victims of Crime a statutory body." Well, the office already existed.

They called it the Compensation for Victims of Crime Amendment Act, and it did only one thing: it re-announced the Office for Victims of Crime. I have some concerns about making that office part of the Ministry of the Attorney General, and I have said that before. I would prefer that the office have some independence, so that it can produce reports such as A Voice for Victims. But that debate is over.

What else have they done? Well, the squeegee bill. Great. At the end of the day, especially in the wake of the comments from the Solicitor General, or whatever he is called—

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Minister of Public Safety and Security.

**Mr Bryant:** Thank you. Excuse me, but I think that description departs from the tradition of having a Solicitor General who is apart from the Attorney General. We have those ministries separate and apart for very good reasons.

Last week I asked the Attorney General, through the Deputy Premier, to investigate the Minister of Public Safety.

*Interjection.*

**Mr Bryant:** Look, the government seems to want me to repeat their renaming of the Solicitor General over and over again. I've acknowledged what the correct name is, but I also acknowledge that there may be a little bit of rhetoric in that new title and in that new ministry. What I'd like to see is a little bit more action and a little less talk from this government when it comes to victims of crime. A lot more action and a lot less talk would be even better.

There's nothing here for victims—nothing, nothing. This is a dead letter. I mentioned the Jackson bill; we're here debating it and then killing the debate all over again.

It is unbelievable, when I'm sure the issue of the sale of arguably our most valuable asset, Hydro One, is on the minds of everybody in this House—I would be surprised if the members opposite weren't getting a few calls in their constituency offices. We should be here debating that particular issue at some point. If the bill is before the House—I understand not every bill can be debated at the same time, but it's not even before the House. That's the most important issue facing the province right now.

In closing, before I hand it over to the members for Sarnia-Lambton and Brant, I would just like to say this government has got to stop talking the talk about helping victims. They've got to release the funds promised for the victims' justice fund. The \$50 million promised is being held back. It's a disgrace that it's being held back, because every day it's held back, victims who need help are not getting help.

Instead, we've got this bill that has, at the end of the day, done nothing over the last seven years, and we have no indication it will do anything in the days to come, once it becomes the law of Ontario. When it comes to protecting victims of crime, this government is all talk and no action.

**The Deputy Speaker:** Further debate?



**Mr Gill:** I am also very pleased to speak on this very important bill which the Attorney General has brought forward, Bill 69. I come back to the bill to remind the viewers at home, because a lot of times when people from the opposition speak, they're all over the left spectrum and people at home forget what the bill is about.

Bill 69, the Prohibiting Profiting from Recounting Crimes Act, 2001, would take the profit out of crime by allowing for the seizure and forfeiture of the profits convicted criminals get from retelling their crimes in books, interviews and other media.

As you know, in the past, very, very serious offenders have gained money by telling their stories. I think we have to be careful about that and do everything possible, so that criminals don't benefit from their crimes. This act will allow for a fund to be established from the proceeds that would be used to assist victims of crimes.

Under this act, whenever a publisher or other party signs a contract with a criminal, they would be obligated to report to the Attorney General within 15 days of signing that contract. Publishers could be liable for a fine of up to \$50,000 for failing to report a contract. As well, directors and officers of publishing and media companies who have entered into a contract with a criminal would be obliged to report the contract. This would include, of course, whenever money is paid to a convicted person for telling the story of their crime in a book or any other media, for that matter, using material that may be related to the crime, giving an interview about the crime or appearing on radio or television to recount the crime.

Under this act, a crime may be committed before or after the legislation becomes law. Designated crimes would be committing or attempting to commit sexual assault either with or without a weapon, aggravated assault, any violent offence with a maximum sentence of five years or more in prison or a serious property offence under the Criminal Code.

1640

The act would apply to a person convicted of a serious criminal offence or property crime as described in the act. It would also apply to anyone who acts on behalf of the criminal as an agent; for example, a spouse, a relative or even a business partner. Criminals cannot shelter behind even shell corporations, because the act also applies to a company where the criminal has ownership or a substantial interest.

In some cases the courts may freeze profits of an accused person until a criminal charge is dealt with. Funds may not be forfeited from an accused person but they can be frozen. If the person were not convicted the money would eventually be returned to that person; and this is appropriate, Mr Speaker, as I'm sure you will agree. A person is innocent until proven guilty. At the same time, this prevents criminals from spending the proceeds while the courts sort out who would have the money.

If a person were convicted of a designated crime under this bill, the Attorney General would have the authority

to begin legal proceedings by applying to court to forfeit the profits of the crime. If a person has been charged with a crime, the Attorney General would be authorized to apply in court to freeze the money pending the outcome of the charge, and he would base his decision—

**Mr Kormos:** On a point of order, Speaker: Is there a quorum, sir?

**The Deputy Speaker:** There's a call for a quorum check. Would the clerk please check for quorum.

**Clerk at the Table:** A quorum is not present, Speaker.

**The Deputy Speaker:** There not being quorum, please call in the members. This will be up to a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Deputy Speaker:** Quorum now being present, the member may continue his remarks.

**Mr Gill:** If a person has been charged, as I was saying, with a crime, the Attorney General would be authorized to apply in court to freeze the money pending the outcome of the charge. He would base his decision on factors like whether it is deemed that the contract applies to the act, the reason for the contract, the kind of story that is being recounted, the sum of money the criminal expects to receive under the contract, the type of crime that has been committed or the number of victims. Other pertinent factors would include whether it is believed that a person other than the convicted person who has entered into the contract is acting on behalf of the convicted person.

As you know, profit seized from convicted criminals would be placed in a special-purpose account. The funds would be available for victims to help them deal with monetary losses and to help alleviate the misery caused by the criminals or criminal who committed the crime against them. The process of applying for funds would be set out by the regulations. The regulations would probably refer to factors such as the kind of injury caused, any out-of-pocket expenses, the amount of money forfeited and other factors like whether judgment has been obtained in civil court.

What we are talking about here is merely common sense. It is common sense that if it is wrong for a person to profit directly from a criminal act, then we should take the indirect profit out of the crime as well.

A few constituents from my riding of Bramalea-Gore-Malton-Springdale have called my office about this bill, and I would like the Attorney General to know that they think he is on the right track, and I also agree with them. We need to listen to ordinary Ontarians. They are sick to death of people getting away with crimes or merely being slapped on the wrist. They don't want ever to see crime turned into a sideshow or a freak show so that criminals can get rich selling their stories to the sort of people who read so-called "true crime" novels.

Bill 69 is an essential complement to Bill 30 of the previous session, the Remedies for Organized Crime and

Other Unlawful Activities Act. On April 12, I was glad to see that other act proclaimed into law. Like the bill we debate today, Bill 30 was all about protecting society. The government, as it always does, kept its promise to help victims and make communities safer. I congratulate the Attorney General, the Honourable David Young, on this achievement. I know he had to work on it for a long time, but I'm happy that it has passed.

The Remedies for Organized Crime and Other Unlawful Activities Act allows the province to ask a civil court to freeze, seize and forfeit the proceeds of unlawful activity. The legislation was the first of its kind in Canada. Bill 30 allowed the province to ask civil courts to freeze, seize and forfeit assets that are proceeds of unlawful activity or that are likely to be used as instruments or tools in the commission of unlawful activity. It also allowed the government to take to court two or more people who conspire to harm the public. And much like this Bill 69, Bill 30 set up a fund to help defray the costs and damages suffered by victims of crimes and unlawful activities. It was a natural fit for real justice because it made the perpetrators pay the costs wherever possible. People who have been victimized by unlawful activity will have the opportunity to get back what is rightfully theirs. The message to criminals is clear: they have no right to keep their illicit cash and assets.

Of course, there's a difference in focus between Bill 30 and Bill 69. Bill 69 deals with the profits that are made through publishing or otherwise exploiting the notoriety and the fame that come with being a famous criminal—or infamous, for that matter. But Bill 30 dealt with preventing persons who engage in unlawful activities and others from keeping property that was acquired as a result of unlawful activities and preventing property from being used to engage in certain unlawful activities. The money that we went after then was money that was legally ambiguous but morally corrupt.

The money that criminals can make by selling their stories is morally corrupt as well. The government is seeking to abolish this dirty money, this blood money.

In the Blueprint, we promised to support victims. We have kept that promise, and we continue to do even more. We recognize that victims of crime need help in coming to terms with the traumatizing experiences they have been forced to go through because of the criminal activities. We've also taken action and will continue to take action on taking the profit out of crime.

This legislation is linked to the Remedies for Organized Crime and Other Unlawful Activities Act, which was recently proclaimed into law. Let me take a moment to briefly comment on the purpose of this bill, because it complements Bill 69, which we are debating here today.

The Remedies for Organized Crime and Other Unlawful Activities Act protects victims of organized crime and other unlawful activities. Specifically, the law allows the province to ask civil courts to freeze, seize and forfeit assets if they are proceeds of unlawful activity or likely to be used as instruments or tools in the commission of unlawful activity; take to court two or more people who

unlawfully conspire to harm the public; enable direct victims of unlawful activity to claim compensation against the forfeited proceeds. It stops further victimization. It protects the people of Ontario, many of whom fall prey to scams and fraud committed by illicit organizations.

#### 1650

A third piece of legislation, the Rescuing Children from Sexual Exploitation Act, is another example of our government's commitment to taking the profit out of crime and helping victims, in this case vulnerable children. We want to stop the illegal actions of predators who lure children into prostitution and other forms of sexual exploitation. The proposed bill would attack the problem of child prostitution by providing the tools to allow sexually exploited children to be rescued from dangerous situations. It would also allow the government to hold abusers liable. Those who sexually exploit children for profit would have to pay back the money they have cost taxpayers for the services required by the children they have exploited.

Bill 69, the bill we are debating here today, is a very important part of our cohesive strategy to stop criminals from making money from their illegal activities. The Prohibiting Profiting from Recounting Crimes Act is another integral part of the government's goal to take the profit out of crime and help vulnerable victims. This bill would help prevent criminals from making a profit from recounting their crimes in any type of medium, including media interviews, books and movies. On the approval of the court, any money generated by a criminal who has written or recounted his or her crime would be forfeited. A fund would be established with the forfeited money and would be made available to the victims of the crimes.

Many jurisdictions, including most US states, have legislation in place to prohibit criminals from profiting from retelling their crimes. The Ontario government recognizes how important it is to have an act in place that stops criminals from benefiting financially from the pain they have caused victims and their families. We consider that even a few instances of criminals making money by writing about their crimes are matters of concern for victims and their families, as well as for the public. This bill would take the profit out of recounting crimes by providing for the seizure of proceeds for the benefit of the victims if such a contract is entered into.

Because the bill also has stringent reporting requirements, we expect to have more information in the future, if the bill is passed, about the frequency of these types of contracts. A publisher or any party to a contract with a criminal convicted of a serious violent or property offence to which this bill applies would be required to report their contract. If they fail to report the contract, they could be fined up to \$50,000. Contracts to which the bill would apply, whether entered into before or after criminal conviction, would include the use of documents that may be related to the crime, an interview with the convict, or an appearance of the convicted person to recount his or her crime.



Residual monies would be used to support government initiatives designed to help victims. Since 1995, our government has implemented many initiatives to enhance victims' rights. The people of my riding, Bramalea-Gore-Malton-Springdale, have no patience for criminals who victimize society, especially when those same criminals try to get rich off their victims. It might sound a little bit old-fashioned, but I still think crime should not pay, not ever. This government believes in and is committed to the rights of victims, and our record clearly illustrates this strong commitment. This bill further assists victims of crime, and I'm very proud, along with my caucus colleagues, to support this bill.

I know my colleague who had difficulty speaking earlier on would like to come back and share the time.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Dave Levac (Brant):** I appreciate the opportunity to engage in the debate that's taking place right now on the time allocation motion for Bill 69. What we're talking about here is not actually the bill itself; we're talking about the motion to allocate the amount of time you're allowed to speak about the bill. What it says is basically, "We're going to shrink that time and we're going to stop all the talk. We're not going to allow the regular interval of time that's allowed in this House to talk about the bill."

In prepared notes, people tend to sit back and just say what they want to say according to the notes that they have on their desks, or whatever's been provided for them. I find it hard to resist the temptation that I have to respond to some of the things that are being said by the members on the other side.

I will start by simply saying this. What we have is a lot of breast-beating that says, "We know how to do it. Everybody else is soft on crime. We're tough on crime." So what I want to do is take a few moments to dispel some of the myths that have been perpetrated on the other side.

There's a very large myth on that side that they've done such a great, fantastic job by passing all these bills, so let me share with you a couple of small points that we've had. Back in 1999, Justice Day talked about the government's Victims' Bill of Rights remaining a toothless piece of legislation. This revamped bill is being presented in front of us as Bill 69. In 1999, Justice Day of the Ontario Court described the flawed Victims' Bill of Rights as follows: "The act is a statement of principle and social policy, beguilingly clothed in the language of legislation. It does not establish any statutory rights for the victims of crime."

In this particular bill, Bill 69, what I'm concerned about, particularly right now as presented, is that it doesn't do some of things that the breast-beating on the other side says it wants to do. What I want to do is give quite a few different examples of how members on both sides of this House have tried to make sure that the government of the day understands that what you do and

what you say are two different things. So let's give a few of those examples.

The \$50-million fund that was created has hardly been touched at all. I think maybe about 10% of that money has been distributed. There's another \$40 million that still lies in wait and is being held up by this particular government. That's really concerning themselves with the victims.

Let's take a look at the member for St Paul's, who presented a bill that takes care of the fastest-growing crime in this province, the identity theft bill, Bill 26, that would try to get those identities back and stop the perpetrators from using those identities to bilk the system in the province of Ontario of hundreds of millions of dollars. He also introduced a victims of crime bill himself, a private member's bill, Bill 89, which had teeth and was reviewed by the law society, which said, "Now you're talking about taking care of those victims." So we have all of this stuff going on.

I look at the other side and say that one of the biggest pieces of legislation that got trumpeted was the squeeze bill. We pointed out a flaw in the bill and asked them to make a subtle change in the bill. They refused and hundreds of millions of dollars that were being raised by charities across the province go uncollected because they wouldn't make an amendment and accept it in a non-partisan way. "Would you please change the bill, because you're causing a major problem for charities in rural and small, urban Ontario?" No, they wouldn't make that change and it's still to this day not changed. There are boot tolls in this province not able to be done, and hundreds of millions of dollars not being collected. They're victims now because of that bill, and that's not being corrected.

Our leader, Dalton McGuinty, had to take this government kicking and screaming from a defiling of this opportunity. The OC Transpo shootings of the four people in the Ottawa area—they said no in this House. On October 11, 2000, the leader asked a simple question: "Would you compensate the victims?" What was the answer? A definitive and resounding no. It took intervention by my leader to go directly to the Premier and say, "Premier, you've got it all wrong. Please change the minister's mind. You've got to compensate the victims." He had to appeal in order for them to come up with the common sense to say that should have been compensated.

We had a bill from Michael Bryant for replica guns. He put forward the idea. The government stole it—good idea. The bill that the member on the other side takes credit for, the member for Sudbury, Rick Bartolucci, put out there long ago, in 1998, about the exploitation of children, the exploitation of young prostitutes who need to be taken off the street. That was done as well.

We've got a few more examples I think should be spoken of, like my bill, Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system. We're talking about proactive pieces of legislation this government has ignored time

and time again, and yet they're trying to tell us that they know exactly what they're doing every single time.

I'm saying there are times when this government is not listening to the common sense that's out there from the people. Of course, we support the fact that nobody should be making proceeds from these kinds of crimes. But the proactive measures that are being proposed by the NDP and the Liberals have never been listened to, and when they take a moment to stop beating their breasts, I'm absolutely convinced that we can put legislation on the books that is going to protect the people of Ontario.

1700

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Kormos:** Today's a time allocation motion, but I suppose we might as well talk about Bill 69, because if the time allocation motion passes, there won't be any third reading debate but for an hour: 20 minutes per caucus. The most insidious thing about Bill 69 is its repeal of Bill 210, and that hasn't been addressed by government speakers, nor has one of them—we haven't even begun third reading debate on this bill—not one of the rather few government participants in this debate around this time allocation motion has offered a single sentence of explanation as to why this Legislature is not going to be permitted a third reading debate of Bill 69. Not a word from these people to justify a time allocation motion.

The government hasn't introduced any bills. The government has no idea what its legislative agenda is through to the end of June other than for the fact that they very much want to get out of here on the last Thursday in June.

Here's the government, wanting to sit evenings so it can have sessional days and avoid question period, yet they don't have any stuff to be debated during the course of those evenings.

By the way, New Democrats are not supporting the time allocation motion. We're voting against it.

I understand that from time to time, when debate has been ongoing and when there's some urgency to a piece of legislation, a government may—as a matter of fact, they have the old common law jurisdiction to call for closure, where the Speaker has to exercise his or her discretion. That may happen from time to time. It doesn't make me happy when it does, but what's the justification for shutting down debate around Bill 69 when we haven't even started third reading, Speaker, have we?

Sorry, Speaker, I couldn't hear you.

**The Acting Speaker (Mr Dave Levac):** No.

**Mr Kormos:** Thank you.

This is pretty messy stuff. When I heard the first speaker—not the aborted speaker but the first speaker—for the government talk about this government's record on the rights of victims, I darn near swallowed my bubble gum. This government's record when it comes to victims? Whose leg you are trying to pull over there,

madam? This government's record when it comes to victims is despicable.

Marion Boyd was the justice critic for the New Democratic Party when this government passed its Victims' Bill of Rights. I recall Marion Boyd explaining to this government in great detail how the bill failed to provide victims' rights.

When Ms Vanscoy and others—I wonder if Mr Hamilton included that in his briefing notes for the speakers to this bill. Did Mr Hamilton bother, in the briefing notes to the Conservative backbenchers, to remind them that it was the government's own lawyers who argued in court that the Victims' Bill of Rights was of no effect? Did you, Mr Hamilton? Did you include that in the briefing notes? Did you include the reference by Judge Day that effectively it ain't worth the paper it's written on?

I ask the author of the speaking notes for these Tory backbenchers whether this urgency around Bill 69, such that it has to be time-allocated, is confirmed or in any way legitimized or justified by the fact that this bill has been sitting around here since June 2001. The government simply hasn't called it. That's how serious the government is about this bill: it hasn't bothered calling it. It didn't call it last November; it didn't call it last December. It hasn't. What kind of game are you guys playing?

The fact is that this isn't where it all began. There was a predecessor to this that yet a former Attorney General couldn't get through this Legislature. Clearly it wasn't that important to anybody, because clearly the bill fails to do anything that these government members allege it will.

If I thought for a minute that Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime, would prevent former Premier Mike Harris from publishing his memoirs, I'd support it. Do you understand what I'm saying? If I thought this bill would prohibit former Premier Mike Harris from appearing on any talk shows, I'd support it. It's supposed to protect victims of crime by prohibiting profiting from the commission of a crime. If I thought for a minute that this bill would prevent Premier Mike Harris from being rewarded by his Bay Street buddies, whom he served so faithfully—like that little RCA Victor dog in the old Victrola ad, tongue hanging out, lap, lap, lap; "His Master's Voice," that was the little logo under it—if I thought for a minute that this would prohibit former Premier Mike Harris from being paid off, greased, by his Bay Street buddies to whom he was so beholden, I'd support it. But it does none of those things. It doesn't. It doesn't achieve any of those goals.

The bill that it repeals—because mention has been made that that bill hadn't been utilized. You heard that in a previous comment, and that's quite right. During committee hearings we determined—it wasn't easy getting answers, least of all straight answers—that Bill 210, which was Cam Jackson's private member's bill that the NDP passed into law and that has been on the books for



some eight years or so now, has never been utilized. Well, that's the whole purpose of it, isn't it? Isn't that the purpose of the exercise? You don't want criminals out there exploiting their own crimes for personal gain.

I know this government has been re-igniting and reviving the hot-button, law-and-order stuff. You notice that last week the Solicitor General—what's his title now? the minister of—well, Bob Runciman—was talking about how an al Qaeda cell had been crushed. He was free to tell us that, but he wasn't free to tell us when, where, why or how. In fact, this chimerical al Qaeda cell that had been crushed merely had left town.

We understand that Mr Chrétien misspoke himself when he was talking to the homeless person. I understand; you get caught up in the enthusiasm of it. Maybe you want to make a point or you want to get a headline that day. So did the minister, Mr Runciman, feel compelled to—because what he was doing was playing that terrorism fear card that has been overplayed, quite frankly, in the United States. You notice, every time there appears to be waning support for governmental action, military action, all of a sudden some mayor from some city announces that a bridge is destined to be attacked. And thank goodness the attacks haven't happened. Look, I'm not diminishing the reality of the threat at any point in time of any sort of criminal conduct that could not only disrupt people's lives but could take lives the way September 11 did. But look how these guys are starting to play those law-and-order buttons again.

1710

There we were with the Attorney General and the incredible misinterpretation—you were there; Mr Hamilton, you were there when the Attorney General tried to spin that line about the law society passing a rule that would permit lawyers to keep what would properly be police evidence, and that was the farthest thing from the truth. That isn't what the law society was doing. But the Attorney General's down there in the press room and he's got his little hangers-on and his staff: big staff, little staff, you know, high-priced staff, low-priced staff. His entourage comes late, of course, but shows, and then, "Oh, yes, the law society, those lawyers." That was stupid, because that just wasn't the case. He tried to create the impression that somehow a law society regulation would indemnify a lawyer who did what he did by virtue of the regulation from criminal prosecution. Of course you can't. Quite frankly, the Attorney General hasn't got much to say about it because it's federal legislation. The laws of evidence in the Criminal Code are well within the federal jurisdiction and no province ever dare try, better not try, to stomp on that turf. So there was the Attorney General—

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** Why should facts get in the way of a press conference?

**Mr Kormos:** That's right. Yes, there was the Attorney General. Why should he let the facts get in the way of a press opportunity? Somebody stayed up late, saying, "AG, we can exploit this one. We can ring those bells of

fear again and make ourselves appear to be on the side of the angels."

*Interjection.*

**Mr Kormos:** Lucifer was the fallen angel.

The fact is that the Attorney General was exploiting a very horrendous crime that took place down where I come from, and the community still suffers from it. Not only do the families, of course, who suffer incredibly—and we all have great sympathy for them—but that community has been scarred. To a large extent in a very peculiar way that horrific crime down in Port Dalhousie—you know, we lost yet another facet of that innocence that small-town Ontario had. But, my God, it's been played in a shameful way, in a way about which this government quite frankly should not be proud.

That stunt last week, accompanied by the former Solicitor General, now Minister of Public Safety, I suppose, the stunt about the al Qaeda—that's all they were: stunts. As I say, one begins to wonder whether the Solicitor General maybe let his imagination get away with him a little bit. Sometimes, especially when you're a kid, you dream and then you wake up in the morning and you're not sure whether it was really happening or not. Could it just be some youthful dreamlike phenomenon? But there's a message to the theme that was being advanced last week, and there's a message to the revival of Bill 69 and the types of speeches that Tory backbenchers are making, trying to support it.

Let's make one thing very clear: this bill will never—never could, never will—prohibit or prevent the worst conceivable criminal from appearing on television, from acting as a consultant or providing his or her life story, from providing all of the incredible, gory, gruesome and horrid details of his or her crime. Let's make that very clear and let's not try to pretend that it does achieve that goal.

The last time I got to speak to this on second reading, I suggested that what this government ought to be doing was working with the federal government to try to develop some sense of, let's say, copyright by victims around their experience. Do you understand what I'm saying? Because that would prevent the criminal, for profit or not for profit, from exposing or publishing or causing to be published or acting as the source for publication of gory, intimate details of a crime that would serve only to further victimize victims or their surviving families. That's the direction that should be taken.

We saw some interesting litigation, for instance, around the destruction of graphic evidence that no longer had any use. The counsel for the families of victims, among other things, appears to have argued that the maintenance of that evidence—it was videotaping—and the possibility of it ever getting out of the custody of evidence security was so overwhelming as to justify its destruction. It was relatively novel, insofar as I understand it, but I certainly supported that argument.

If this government were really serious, instead of just wanting to play games and play the law-and-order card, they would be working on—and it would have to be done

in conjunction with the federal government—some fundamental changes to the law that created, as I said, an ownership of facts and details surrounding a crime and establishing that of the victims. That would be a bold and positive step. That would mean that details around the crime could only be published, be it in print, film or radio drama, with the specific and direct consent of the victims. I think that makes sense. I think everybody in this Legislature would be quite pleased to participate in that particular exercise.

This bill repeals Bill 210. Let me tell you what the difference is between the two bills. Neither this bill nor Bill 210, which it repeals, has the effect of prohibiting the worst possible criminals—their names come to mind all too readily and I won't, quite frankly, even dignify those criminals by speaking their names—from assisting in the publication of the details of the crime.

Bill 69 is a government confiscation bill. That's what it is; let's make no mistake about it. It has nothing to do with victims. What it does is dictate that any monies or consideration in kind paid to a criminal for his or her recounting of the details of that crime shall be forfeited to the state. That's it in a nutshell. Sorry, it ain't more complex than that. Any consideration, cash or kind, paid to a criminal or his or her agent will be confiscated by the state. I know countries where they used to do that regularly. Anybody's property could be confiscated by the state. We don't particularly admire that.

The bill that it's repealing, Bill 210, seizes monies for the purpose of compensating the victim of that criminal. It makes a lot more sense. Under Bill 69, this government's piece of legislation, the one by which they repealed Bill 210, it's up to the government as to how much of the money seized from criminal A is provided to the victims of criminal A. Another meat chart? No, that's not justice.

Cam Jackson's private member's bill, Bill 210, which was passed into law with the support of the government of the day, the New Democratic Party, seizes monies and holds them specifically for the victims of that criminal. It's not the government that dictates the amount of monies to be paid to that victim, because that victim has access to the courts for a judge, or judge and jury, to determine—what do lawyers call it, Mr Sorbara?—the quantum of damages.

**Mr Sorbara:** The quantum of damages, exactly.

1720

**Mr Kormos:** I don't want this government's or any other government's bureaucrat to be telling me what I'm to be paid in compensation for having been victimized by a criminal, using some sort of meat chart or what happens to be the political wind of the day as direction or guidance.

Look, talk to people who have had to appear before the Criminal Injuries Compensation Board if you want to know what the meat chart approach is. Granted, there we're using public monies, and I have to understand—I think all of us do—there has to be some constraint. But,

my God, this bill, Bill 69—and this is very important—could preclude me from satisfying my judgment.

Do you understand what I'm saying? In other words, if I was the victim of a crime or if anybody was the victim of a crime and received a judgment for \$100,000 for the crime inflicted on them, in Bill 210, the existing law, they can satisfy that judgment with the assets seized, the income seized from the criminal. Under this bill, I can't ask the sheriff's office to take my judgment and seize these monies; this fund is judgment-proof. It is. The consolidated fund, this dedicated fund being established by this act, is judgment-proof. It's no longer the criminal's asset, so the writ can't be served as against the criminal. It belongs to the government of Ontario, and the government of Ontario is not a party—is that the right language?—to the action that was initiated.

Bill 69 rips off victims. Bill 69 says, "Oh, Big Brother in the Pink Palace up here will decide what, if anything, a victim of a particular criminal will be entitled to." That's not fair, nor is it just. There's nothing in this bill that even dedicates all of the monies seized, if any are seized, to the purpose of satisfying victims who have suffered injuries, because this little fund can be used any which way you want. The government can use it for doing anti-crime advertising—more glossy magazine ads.

**Mr Sorbara:** With a picture of the minister.

**Mr Kormos:** With a picture of whoever happens to be the minister; perhaps the former Minister of Labour at 2 a.m. Who knows?

This bill is a confiscatory bill. It is a means whereby money can be confiscated, with no regret, not only from the criminal but, with great regret, from the victim. I consider this a very dangerous bill.

Should Bill 210 be looked at for the purpose of perhaps responding to the degree to which the nature of crimes or the way in which crimes can be publicized is changed? I would like this Legislature to do that. But repeal it? No. It's a bad bill; it's bad law.

I know that the official opposition, the Liberals, supported this bill, Bill 69, up to now. I know that they have supported Bill 69, and that's OK. I understand, because it's nice to ride that law-and-order wave. But I think this government may have some difficulty with Bill 69 when it does get put to a third reading vote because I think Liberals may be opposing Bill 69. I think the Liberal caucus here—and, by God, if we're all here and there's enough of us and if the government's messed up even by just a few members, we can win. We can defeat Bill 69 and maintain Bill 210 as the law of the land, a far preferable piece of legislation, one that is far more supportive of victims than Bill 69 is. Bill 69 is a direct rip-off of victims.

The government is going to say, "Yeah, but then victims have to sue." Well, I've got some answers there too. Let's give the office of victim support the resources and tools it needs to truly advocate for victims, including lawsuits. Quite frankly, I'm a fan of lawsuits, and I don't say that in any silly way. I don't practise, and I never did, civil litigation. There are other lawyers out there who do



it and do it real well. But I believe that people are entitled to their day in court. There are variations, dispute resolution—alternative dispute resolution has acquired a great deal of currency. Fine; that's yet another forum in which that litigation can be resolved.

So in response, because I heard it during second reading, the government says, "Under the existing law, victims have to get a lawyer and they have to sue." Yes, and they get fair judgments instead of some bureaucrat deciding on his or her own and again being dictated to, however subtly, by the government of the day as to what flavour is in, what the amount of that cheque will be. I say, "Good. Let the office of victim support do advocacy for victims." Because I, quite frankly, don't think that enough lawsuits have been filed against criminals. I very much believe the filing of lawsuits, litigation, and the judgment that would be almost inevitable—if there's been a criminal conviction on the standard of proof in a criminal court, the success of a lawsuit is almost inevitable. Having those lawsuits—and granted, a great deal of offenders, a large number of offenders are inexorable—

**Mr Sorbara:** How about judgment-proof?

**Mr Kormos:** As Mr Sorbara says, they could be judgment-proof as well, but I think it's one and the same.

Granted that a whole lot of the people who would be the defendants in these lawsuits wouldn't have money, but the fact is that a judgment could sit there and sit there and sit there and wait until they do. I think the office of victim support should be facilitating the acquisition of judgments against wrongdoers. It would be a tremendous tool to have the leverage that would imply. Under Bill 69 it would be all for naught, because Bill 69 protects the offenders, the criminals' income from a lawsuit by the victim. And I say to the staff people who are sitting behind you, Speaker, no, it's too late to write hurried notes, "Respond to Kormos and rebut that comment."

Bill 69 covers the criminal's butt. It prevents a victim from recovering damages against that criminal. So whose side is this government really on? I'm not suggesting that they're pro-crime; of course not. They play that game from time to time. It's a stupid game and I'm not going to suggest that at all.

I'm just saying that Bill 69 is wrong-headed. You screwed up, OK? Can I put it more plainly? You screwed up royally. You mucked up as badly as anybody could ever muck up. Why are you passing what in effect is yet another Victims' Bill of Rights, so that instead of litigating and getting judgments against the criminals, victims are going to have to litigate with you—with your huge resources, where you can dig into the taxpayers' pocket to keep funding and funding and funding lawsuits. And you show them the pattern.

You guys are the patron saints of lost causes. Think about their success rate in the courts. When the Attorney General of the day went up to the Supreme Court of Canada, he was going to argue—I can't even remember what the heck he was going to argue. But he was going to argue something, and the Supreme Court justices

harrumphed a couple of times, as those folks are inclined to do, they're harrumphers, but basically said, "Good grief, get this guy out of here; he's embarrassing his client," who happened to be the province of Ontario, or the government at least.

This government doesn't have a very enviable track record when it comes to court but it has a massive track record when it comes to making members of the public expend huge amounts of resources taking this government on and inevitably winning. That's what Bill 69 is going to do. Bill 69 re-victimizes victims. Why would you please not simply let this thing—you had an opportunity to let this disappear off into legislative orbit, to float out there never to be seen again and avoid the embarrassment. Rather than do that, no, you want to accelerate its passage, as if you haven't been futzing around with it for long enough now. You had no interest in getting it on the order paper after it received second reading last year. All of a sudden now you need a time allocation motion.

1730

What are you going to say to your constituents? It's going to be a rare case, we acknowledge that, it's going to be the rare situation that says, "Look, the guy who murdered my spouse or my kid is getting paid however much money to do a series of interviews on some shabby American Jerry Springer kind of show," or what have you. What are you going to say to your constituent who says, "Even though the judgment I got in court for \$500,000 is alive and well, you, the government, seized the money and I can't satisfy my judgment. I can't serve it on anybody because you have taken the money that should have been mine and you're now protecting it. You're making it judgment-proof"? What are you going to say to your constituent? Are you going to say, "I'll write a letter for you. I'll raise it in the Legislature"? No, you're going to have to tell him you voted for Bill 69. Yes, then there'll be a little bit of accountability, won't there?

The Attorney General can do better than this. Why he embarrasses himself and his staff by putting stuff like this before this chamber is beyond me. Why doesn't he listen to the advice of his staff and simply bury junk like this? Why wouldn't the author of Bill 210—Mr Jackson was a member of the opposition; I remember it well—join us in this Legislature and speak up for the legislation that he fought so hard for and fought successfully for? Surely his cabinet position isn't more important than doing the right thing. Surely he'd let that car and driver go in a New York minute if he thought that by speaking out he might be able to save his bill, Bill 210, which is a far more effective bill at ensuring that any proceeds obtained by a criminal are routed directly to the victim rather than ending up in deep government pockets.

When this bill is called for third reading it's all going to be over and done with in 60 minutes. Then there will be nothing but waiting for the dramatic and regrettable incident.

It's nice to see the Liberals onside with us, finally. They've come around. It appears that they've changed their position on it.

*Interjection.*

**Mr Kormos:** Well, yes. Why, earlier today, I saw the letter from the Liberal House leader to the government House leader saying, "We need more hearing time on nutrient management." We agree, but the Liberals wanted to wrap it up on unanimous consent last December. The Liberals were jumping up and down trying to move unanimous consent to get Bill 81 all wrapped up, tied with a bow and delivered. New Democrats said, "No." So the Liberals are saying, "Government House leader, we need more time on this bill." You're darn right, you do. What were you doing in December trying to wrap it up and have it pass without any further debate? Why were you trying to do that? Good grief. Thank goodness New Democrats said no.

**Ms Caroline Di Cocco (Sarnia-Lambton):** You're just so perfect.

**Mr Kormos:** Well, thank goodness. At the end of the day, there may not be much of a second kick at the can on Bill 81, but thank goodness New Democrats refused to let it pass without further debate back in December. Thank goodness Mr Gilles Bisson from Timmins-James Bay stood up on his feet and forced this into committee so there would be some prospect, however futile, of it being reconsidered in the light of the Walkerton report.

You've got to be very careful about time allocation motions and passing stuff here without thorough debate. It's already been mentioned by at least one other speaker that that's how you end up with bad law. That's how you end up with some very dangerous scenarios.

There are rules in this House about how to get a piece of legislation through. I understand why the government may not be overly enthusiastic about having to debate bills or listening to opposition members berate their bills. I understand that. But I'm sorry, there are reasons for those rules. There are reasons for a need for second and third reading debate. You're denying this House, all 103 members, the opportunity to participate in any real third reading debate.

Do you want to change the rules and eliminate third reading altogether? Is that what you guys want to do? You'd just as soon shut this place down, which is what you intend to do as quickly as you can, and rule out of the Premier's office, with no debate, no public exposure and no accountability. You've done your best to avoid question periods and, with your time allocation motions, you're doing your best to avoid the rigours of this chamber.

We're going to be voting against this time allocation motion.

**The Deputy Speaker:** The floor is now open for further debate. The member for Sarnia-Lambton.

*Applause.*

**Ms Di Cocco:** I have some exuberant caucus members over here. Thank you very much for the applause.

This is a time allocation motion, as we have heard, which means that debate is being curbed on this bill. Considering the depth of the debate sometimes in this place, I have to say that this could be considered a blessing at times. On the other hand, it's important to note that these measures continue to erode the tradition of meaningful, adequate debate in this Legislature. It's important to note that we have had more and more time allocation motions as a way to expedite legislation in the provincial Legislature here in Ontario.

What this Bill 69 does is modify existing legislation to prevent people convicted of serious crimes from profiting through the recounting of their crimes. In essence, this means that a convicted person cannot get paid for publications or speaking engagements about their crime. It's important, because the spirit of this bill is supported by the Ontario Liberals. We do not believe that criminals should profit from their crimes.

Let's put some facts on the table. There is relatively very little, if anything, new in this bill. Bill 69 is simply making a few minor changes to a 1994 provincial law that prohibits criminals from profiting from recounting their crimes. Furthermore, that later prohibition already exists in common law. So, again, there is very little that's new in this bill.

One of the things that, in opposition, the Ontario Liberals have been quite successful at when it comes to crime is influencing the government to help victims of crime. If you remember, and many of the members in this House recall, when Dalton McGuinty forced the government to give families of the four victims of the OC Transpo shooting \$100,000 each. The government refused to make the payments on October 11, 2000, but reversed its position the next day when they came under fire, because Dalton raised it in the House in question period. And that's a good thing because it means you've got good opposition. Sometimes the government comes to its senses and decides, "This is what we should do. They're right."

**1740**

One of our members, Rick Bartolucci, brought forward three bills, Bills 22, 23 and 24. Rick has had an incredible commitment to protecting children from sexual predators. He's had this bill before the Legislature—it's still in committee—but this government should get its act together and move it forward faster than it has, because this is a very important issue.

I remember when I was in the Legislature and David Levac forced the government to abandon what he called its drive-through prison system that allowed convicted drunk drivers and drug dealers to spend their jail sentences in their homes. It was David Levac who brought it forward. I have to commend my colleagues, because they have been quite effective in influencing some good action that the government has taken.

The biggest hole that I believe is in this government's approach to crime is in prevention. One of the things that happens in what I call a government that has vision is that it looks at not just the punitive aspect of crime but



also the prevention of crime. That, though, is a more complex aspect of the whole notion of crime. There are aspects of mental health needs that are out there, addiction rehabilitation that is not a revolving door but addresses long-term recovery programs that actually have positive results. There are women who are victims of abuse by their partners. We need care in shelters, counselling services, child care, education and adequately funded legal aid so that all victims have access to legal counsel.

These systems, in place to protect victims and prevent crime, are complex and numerous. I'll say again: a government with vision does not provide only punitive measures as an answer to crime but looks at all measures, such as strong preventive programs. Yes, preventive measures are more complex and require intelligent, thoughtful political will. These characteristics, unfortunately, are woefully lacking in the government's direction for crime prevention.

Last week we heard an astonishing comment from Minister Runciman, the startling revelation that there was an al Qaeda terrorist cell in Ontario. But have no fear. This terrorist cell was under surveillance by the OPP, and because of this intense scrutiny they moved away. We have nothing to fear now, because they're somebody else's problem. Maybe they're in Quebec, or maybe they're in Manitoba. Maybe they're in Michigan. As I've heard, this is maybe the Tories' definition of protection: just shoo them away and they'll be somebody else's problem.

To me, the question is, is this responsible action by this government? If we see no terrorists, we don't have any fear of them; they've gone somewhere else. To me it speaks to a fundamental problem, and that is to actually act in a comprehensive way when dealing with crime. Not only should we have good legislation—and again I'll say that when it comes to criminals profiting from their crimes we, the Ontario Liberals, believe they should not profit from their crimes, and therefore we support the spirit of this bill.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Everybody but Gagliano.

**Ms Di Cocco:** Well, we can go into the rules and regulations of how politicians conduct themselves, and maybe we should all raise the bar when it comes to our behaviour and how each of us in the House, this one and the one in Ottawa, conduct ourselves.

It's important that government maintains its responsibility and has a significant role in protecting victims, but also ensures that those who commit crimes do not profit from them, because then the victims are doubly victimized. Not only have they endured being a victim; they see that their perpetrator has profited from the crime.

The Ontario Liberals support the spirit of this bill, although we understand that the complex issues of crime prevention are certainly not on the current government's agenda.

**The Deputy Speaker:** Further debate?

**Hon Mr Baird:** Mr Speaker, I believe there is unanimous consent—I moved the motion but didn't speak—to use the remaining three or four minutes of our time.

**The Deputy Speaker:** The chief government whip seeks unanimous consent to allow him to speak to this for what is technically a second time. Is it the pleasure of the House?

*Interjection.*

**The Deputy Speaker:** I heard a no. I'm going to test the House once more.

Is there unanimous consent? Unanimous consent is granted. Please take the floor.

**Hon Mr Baird:** I appreciate it, mon cher collègue le député du nord de l'Ontario.

I'm pleased to wrap up the debate on this important motion in the next four and a half minutes. We have debated this bill a long time. At first reading, the Conservative member Mr Young spoke, the Liberal critic Mr Bryant spoke and the New Democratic critic Mr Kormos spoke.

At second reading, Mr Young, the Attorney General, spoke, Mr David Tilson, the former member who is not even here, spoke, Mr Stewart spoke, Mr Galt spoke, Mrs Molinari spoke and Mr Dunlop spoke. Mr Caplan spoke, Mr Curling spoke, Mr Gerretsen spoke, Mr Crozier spoke, Mr Lalonde spoke, Mr Colle spoke, Mr Bryant spoke—two speeches—Mr Córdiano spoke, Mr Bradley spoke, Mr Agostino spoke, Mr Peters spoke and Mr Parsons spoke. Ms Martel spoke, Mr Martin spoke, Mr Kormos spoke again, Mr Prue spoke and Mr Bisson spoke.

We had 29 Liberal speeches, 24 NDP speeches—seven and a half hours of debate. That's 126 pages of debate, in contrast to the Book of Genesis—I have the Bible here—which is about 50 pages. I think that if God took half as many pages to create the entire Earth and everything that dwells within it, it's time to wrap up this debate.

I listened to my colleague the member for Niagara Centre, who made numerous comments about young Ben Hamilton, who is here, and about his work—my former colleague from the Ministry of Community and Social Services, a talented fellow. The member for Niagara Centre took great delight in commenting on it. True, he is working to try to pass this bill, because it's good legislation for the people of Ontario. Bill 69, the Prohibiting Profiting from Recounting of Crimes Act, is an important part of our government's commitment to help victims of crime and to take the profit out of crime.

If you have talked to victims of crime, this is something that causes them great concern. In my former constituency in Nepean—actually in the constituency of my colleague the member for Ottawa West-Nepean—we have Sharon and Gary Rosenfeldt, two individuals who have spent a lifetime working to help push the cause of victims. Now Ms Rosenfeldt works with the Office for Victims of Crimes and, I think, does an absolutely outstanding job for the people of Ontario. Indeed, they're

national leaders in the victims' rights movement, and I know they are supportive of any initiative to help victims of crime.

We need to protect vulnerable victims. In the Blue-print campaign document with which we sought election in this place, we promised to do more to support victims. We have kept that promise, and by passing Bill 69 we'll be able to do that even more.

It's important that we recognize that victims of crime need help in coming to terms with the traumatizing experiences they have been forced to go through because of the criminal activities of others. This piece of legislation does that. The law allows civil courts to freeze, seize and order assets to be forfeited if they are proceeds of unlawful activity. That's something that's very important.

Il est très important d'assister les victimes dans la province de l'Ontario. Je sais bien que mon cher collègue le député de Timmins-Baie James sait l'importance de ce projet de loi. Il veut avoir un vote et il veut que l'on procède à la troisième lecture du projet de loi avant de partir pour la prochaine session de cette Assemblée législative.

We have debated this bill for quite a long time. I think it's important that we have the opportunity to vote on second reading and to debate at third reading this important piece of legislation so it can benefit the people of Ontario.

**The Deputy Speaker:** The time for debate has expired. Mr Baird has moved government notice of motion number four. Is it the pleasure of the House that the motion carry?

All those in favour will please indicate by saying "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1751 to 1801.*

**The Deputy Speaker:** Members will please take their seats.

Those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hastings, John	Newman, Dan
Baird, John R.	Hodgson, Chris	O'Toole, John
Barrett, Toby	Hudak, Tim	Ouellette, Jerry J.
Chudleigh, Ted	Jackson, Cameron	Runciman, Robert W.
Clark, Brad	Johns, Helen	Sampson, Rob
Clement, Tony	Kells, Morley	Spina, Joseph
Coburn, Brian	Klees, Frank	Sterling, Norman W.
Cunningham, Dianne	Marland, Margaret	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Stockwell, Chris
Dunlop, Garfield	Maves, Bart	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	McDonald, Al	Wettlaufer, Wayne
Galt, Doug	Miller, Norm	Wilson, Jim
Gilchrist, Steve	Molinari, Tina R.	Wood, Bob
Gill, Raminder	Munro, Julia	Young, David
Guzzo, Garry J.	Mushinski, Marilyn	

**The Deputy Speaker:** Those members opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Hampton, Howard	McMeekin, Ted
Bartolucci, Rick	Hoy, Pat	Parsons, Ernie
Bisson, Gilles	Kormos, Peter	Patten, Richard
Bountrogianni, Marie	Kwinter, Monte	Peters, Steve
Churley, Marilyn	Lalonde, Jean-Marc	Prue, Michael
Colle, Mike	Levac, David	Ramsay, David
Di Cocco, Caroline	Marchese, Rosario	Ruprecht, Tony
Dombrowsky, Leona	Martel, Shelley	Sergio, Mario
Gravelle, Michael	McLeod, Lyn	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 26.

**The Deputy Speaker:** I declare the motion carried.

It now being after 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1804.*

*Evening meeting reported in volume B.*



## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

### **General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Al McDonald,  
Norm Miller, Michael Prue  
Clerk / Greffière: Anne Stokes

### **Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

### **Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

### **Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

### **Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

### **Alternative fuel sources /**

### **Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

# CONTENTS

Monday 27 May 2002

## MEMBERS' STATEMENTS

<b>Sudbury on-line health resource</b>	
Mr Bartolucci .....	321
<b>Automotive industry</b>	
Mr Arnott .....	321
<b>Northern highway improvement</b>	
Mr Gravelle .....	322
<b>West Northumberland hospital</b>	
Mr Galt .....	322
<b>Contaminated soil</b>	
Mr Bradley .....	322
<b>Durham hockey teams</b>	
Mr O'Toole .....	323
<b>Government's agenda</b>	
Mr Duncan .....	323
<b>Attawapiskat evacuation</b>	
Mr Bisson .....	323
<b>Tom Turnham</b>	
Mr Stewart .....	324

## MOTIONS

<b>Committee membership</b>	
Mr Stockwell .....	324
Agreed to .....	324
<b>House sittings</b>	
Mr Stockwell .....	324
Agreed to .....	324

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Water quality</b>	
Mr Stockwell .....	324
Mr Bradley .....	325
Mr Peters .....	326
Ms Churley .....	326

## THRONE SPEECH DEBATE

Agreed to .....	328
-----------------	-----

## ORAL QUESTIONS

<b>Children's health services</b>	
Mr McGuinty .....	329
Mr Eves .....	329, 332
Mr Peters .....	332
Mr Patten .....	333
<b>Ministry of the Environment staff</b>	
Mr McGuinty .....	330
Mr Eves .....	330

## Water quality

Mr Hampton .....	331, 338
Mr Eves .....	331, 338
Ms Churley .....	331

## Competitive electricity market

Mr Hampton .....	332
Mr Eves .....	332
Mr Stockwell .....	332, 336
Mr Lalonde .....	336

## Automotive industry

Mr O'Toole .....	333
Mr Turnbull .....	333

## Curriculum

Mr Kennedy .....	333
Mrs Witmer .....	334

## Highway 401

Mr Galt .....	334
Mr Sterling .....	334

## Long-term care

Ms Martel .....	335
Mr Newman .....	335

## Northern Ontario development

Mr McDonald .....	336
Mr Wilson .....	337

## Affordable housing

Mr Agostino .....	337
Mr Hodgson .....	337

## Occupational health and safety

Mr Gill .....	338
Mr Clark .....	338

## PETITIONS

### Post-secondary education funding

Mr Bartolucci .....	338, 341
---------------------	----------

### Animal protection

Mr Arnott .....	339
-----------------	-----

### Hydro One

Mr Levac .....	339
Mr Bartolucci .....	341

### Medical school tuition

Mr Hoy .....	339
--------------	-----

### Ontario disability support program

Mr Gravelle .....	339
-------------------	-----

### Children's health services

Mr Lalonde .....	340
------------------	-----

### Doctor shortage

Mrs Dombrowsky .....	340
----------------------	-----

### Education funding

Mr Parsons .....	340
------------------	-----

### Ontario drug benefit program

Mr Gravelle .....	340
-------------------	-----

## Insurance claims

Mr Levac .....	34
----------------	----

## Audiology services

Mr Bartolucci .....	341
---------------------	-----

## GOVERNMENT MOTIONS

### Time allocation, government notice

of motion number 4, *Mr Stockwell*

Mr Baird .....	341, 355
Mr Mazzilli .....	342
Mrs Munro .....	342
Mr Bryant .....	343
Mr Gill .....	347
Mr Levac .....	349
Mr Kormos .....	350
Ms Di Cocco .....	354
Agreed to .....	356

## OTHER BUSINESS

### Introduction of member for Nipissing

The Speaker .....	321
Mr Eves .....	32

## TABLE DES MATIÈRES

Lundi 27 mai 2002

## QUESTIONS ORALES

### Marché compétitif de l'électricité

M. Lalonde .....	336
M. Stockwell .....	336

## MOTIONS ÉMANANT DU GOUVERNEMENT

### Attribution de temps, avis de motion du gouvernement numéro 4,

<i>M. Stockwell</i>	
M. Baird .....	355
Adoptée .....	356



A20N  
XI  
- 323



No. 9B

N° 9B

ISSN 1180-2987

# Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

# Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Monday 27 May 2002

Lundi 27 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 27 mai 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### HERITAGE HUNTING AND FISHING ACT, 2002

#### LOI DE 2002 SUR LA CHASSE ET LA PÊCHE PATRIMONIALES

Mr Ouellette moved second reading of the following bill:

Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche.

**Hon Jerry J. Ouellette (Minister of Natural Resources):** I'll be sharing my time with the member for Peterborough. I'm pleased to move second reading of Bill 135, the Heritage Hunting and Fishing Act, 2002.

This is a proud day for me personally and a proud day for the government of Ontario. Once again we are delivering on a commitment made by our government. Once again we are keeping a promise, and keeping promises has become a hallmark of our government.

Bill 135 is legislation that, if passed, will preserve the right to hunt and fish in Ontario for recreational purposes. The Heritage Hunting and Fishing Act will mean that the fine tradition of hunting and fishing will be recognized as a right in Ontario, subject to law and regulation. This legislation aims to help maintain a way of life that plays an important economic and social role in many communities across the province, especially in northern Ontario. Hunting and fishing are important to our residents and to visitors to our province.

I might add that hunting and fishing is such an important aspect, yet people don't recognize the economic benefit that takes place. For example, I happen to know the hunting editor for Outdoor Life Magazine. His name would be Jim Zumbo. This individual is read by or is in communication with six million people monthly. You may ask, "Why is knowing that so important?" When you bring individuals like that to the province of Ontario, as is the case this summer when we're bringing Jerry Gibbs—he is the fishing editor for Outdoor Life Magaz-

ine and he'll be spending a significant amount of time in the province experiencing fishing.

When you're read by six million people, typically speaking you have a response rate of about 10% of individuals who are interested in coming to such jurisdictions when those things are put forward, which is a huge benefit. That's 600,000 inquiries of individuals coming to the province of Ontario to go fishing. Normally, out of that you get about a 10% committal rate, which means about 60,000 individuals would come to the province of Ontario because someone such as Jerry Gibbs writes articles about our great province.

Not only that, you might add the fact that on average they stay about five nights. That's about 300,000 overnight stays by bringing an individual such as Jerry Gibbs to the province of Ontario, which is extremely important.

Each year more than 2.4 million people participate in hunting and fishing in Ontario. Each year these activities contribute \$3.5 billion to the provincial economy and support—

*Interruption.*

**The Deputy Speaker (Mr David Christopherson):** Will the member take his seat. Stop the clock. I can appreciate that there are strong feelings by members of the public who are here, and you are welcome. This is your place. But I am going to ask you to refrain from any kind of noise or demonstration while the members are speaking. Please, I ask your co-operation. I want you to remain and enjoy the proceedings but that will not be tolerated.

Sorry for the interruption, Minister. Please continue.

**Hon Mr Ouellette:** Each year these activities contribute \$3.5 billion to the provincial economy and support more than 30,000 jobs.

The Heritage Hunting and Fishing Act was a Blueprint promise by our party in 1999 to legally recognize the right of all Ontarians to hunt and fish. Our government made this commitment to help ensure that future generations of Ontarians have continued opportunities to participate in recreational hunting and fishing activities.

Hunting and fishing are fine traditions that played a role in the founding and settlement of our province, particularly in northern Ontario. We all know the great legacy of the Hudson's Bay Co and all the shed-waters that feed into that. We're proud of these traditions and we're taking action to preserve them. The Heritage Hunting and Fishing Act is for future generations.

You know, it was just Saturday last when my wife, Dianne, and I and our sons, Josh and Garrett, were out

fishing on the Ganaraska River. I was casting a number 14 gold-wrapped pheasant-tail. I was fly casting. For those who don't know what that is, I do tie all my own flies and I actively participate in a lot of those activities.

1850

There I was, up with Josh, my six-year-old son. He was fishing away and a fish came up and happened to take my fly. He said, "Dad, I want to fish there." I said, "Josh, it's not exactly where you're fishing. Sometimes it's what you're using, and it's understanding all about the fish." I was explaining to Josh that the reason that fish was so interested in the fly I had presented was because that was the fly it happened to be feeding on at that particular time of day. It was an emerging mayfly, which meant there was a hatch on, the flies were coming out and this particular fly was very attractive to a lot of rainbow trout that were there. It was understanding nature and more or less passing that on to my sons, Josh and Garrett, so they understood that it wasn't just a hook, a worm and a bobber that goes floating by when fishing takes place; it's understanding a lot about nature.

The government will continue to set standards and policy to help ensure that hunting and fishing are managed in a sound, sustainable manner and in accordance with ethical and humane practices.

When I talk a lot about youth—my wife, Dianne, and I were moose hunting in Foleyet, down the Ivanhoe River.

**Mr Gilles Bisson (Timmins-James Bay):** Did you have a tag?

**Hon Mr Ouellette:** The member opposite asks if we had a tag. Actually yes, we did at that particular time.

**Mr Bisson:** When did you get it? As minister?

**Hon Mr Ouellette:** No, this was years ago, long before I became minister.

We were about eight hours downriver to the first camp, and it was another eight hours from that position down to the second camp. With us we had Pierre Gagnon and his brother Philip, who was only 10 at the time. It was so interesting to find that he was completely at home, where my wife was not feeling quite so comfortable with all the surroundings that deep in the bush. It was 16 hours to where we were, and so it was 16 hours to get out. It takes quite a while to get to these locations and to enjoy those sorts of experiences.

We had canoed up to a section of river, and then we were compassing into a lake. At that point, I did a number of calls and then proceeded to where we heard some noise. My wife, Dianne, and Philip, the 10-year-old, were at the place where we originally called, and there happened to be a fly-in fishing camp at this location. We were quite a way into the bush, and it's rather unique to be able to go to those places that you can access. While we were there, Philip was playing on a 45-gallon drum—a 10-year-old; what do you expect in the bush? He's playing away, beating the drum and not thinking anything of it. All of a sudden they turn around and standing there is a bull moose. Well, it starts to run, and Philip starts yelling, "It's a moose. It's a moose. It runs just like my horse." Of course my wife is not

expecting any of this and is quite surprised by the whole case.

There are two points here. One is the opportunity to pass this legacy of understanding on to generations. Not only that, but we spent the entire week and quite frankly we didn't get a moose. There were many cases where we did not get a moose, but it's the opportunity to experience it, to be able to talk about it to future generations, that makes it so interesting to so many people in Ontario.

As part of the Heritage Hunting and Fishing Act, the government intends to establish the Fish and Wildlife Heritage Commission. As designed, it would provide advice to me on a wide variety of fish and wildlife initiatives. It would function as an advocate for recreational hunting and fishing by fostering outreach programs and by promoting hunting and fishing tourism opportunities.

I would also encourage greater participation in fish and wildlife conservation programs. When we speak about programs, there are a number of programs I ran in the riding I represent, which is Oshawa, before becoming minister. We have one that's called the classroom hatchery program, and we've done this for a number of years. We've made arrangements with the schools and with volunteer groups and organizations such as the Metro East Anglers. What takes place is that we take the kids down to Oshawa Creek, where they see a stretch of stream that's normally recognized by a lot of kids as being more or less a place to throw shopping carts in a lot of cases—not necessarily all, but some. It doesn't really represent a lot, other than water flowing through the community. In this stretch of stream, about 50 yards, we happened to take about 150 rainbow trout this year.

What takes place is that the Metro East Anglers, with a team of volunteers, come and momentarily electro-shock the fish, which just more or less stuns them. That allows us to easily capture them. After they're stunned, they float up to the surface, and then they're put into a processing area. Once we get enough fish in that particular area, we then advance to removing the eggs and milk from the fish. The kids are there, the volunteers are there with the parents and the teachers are there. It's actually a phenomenal program when you find out that the parents start asking more questions than the kids, because they're so interested in it. They see the fish, they see us remove the eggs, and then afterwards—we only remove about, in most cases, three quarters of the number of eggs, and then the fish are put back in the water and allowed to continue on their normal life cycle.

What then takes place is, the eggs are taken to a hatchery. At this particular hatchery, the eggs go through a delicate stage where they're fertilized and then they're put through what's called an eyed-up stage. It's at this eyed-up stage where they're brought back to the classroom. The process for that is, you have to make sure the water temperature is correct and the oxygen levels are correct. Then the eggs were taken back from the hatchery and put into the classroom aquariums.

The kids see it in the stream; then they go to the classrooms and see aquariums with eggs in them. They actu-



ally watch the eggs hatch. Once they swim up, which they've done on two other occasions already, we take all the swim-up fry and release them back into the stream. The kids see the whole process.

What we've done here is that we've established looking at a new stream in a different light, because there actually is life in there that has continued on. They see a whole life process in this particular incident, and they understand that the stream has an extreme value.

Not only that, but in the average hatchery you would have a 3% to 5% success rate. In this particular classroom hatchery program that we do, we have about a 90% to 95% successful hatch rate where we return the fish back into the stream. So it's very successful and it teaches the kids. We're up to four schools now. There are four schools that are actively participating in this program. The teachers are coming up to me and saying, "I can't teach the kids what you're showing them in that particular aquarium." So we're seeing a lot of programs in the development of youth and understanding on that.

Our government has proven its commitment to fish and wildlife. We have worked hard to help protect fish and wildlife habitat and to preserve species at risk.

We have a significant number of guests with us here today in the gallery. I might direct the members' attention to the members' gallery on the side here. We have Mr John Bell. He is the president of the Ontario Sporting Dogs Association. Mr Ray Gosselin is the executive director for COHA, the Canadian Outdoor Heritage Alliance. We have Nathalie Pardy, who is the vice-chair of the Fish and Wildlife Advisory Board, as well as the owner of Gagnon Sports. We have an extremely active individual, Len McRitchie, who's very active in a lot of organizations and has been very instrumental in elk reintroduction in the province of Ontario.

We have Bob Fraser, who's the president of the Ontario Bear Hound Association. We have Andy Houser, who's from the Ontario Federation of Anglers and Hunters. We have Howard Noseworthy, from the Ontario Fur Managers Federation. He came down from Sault Ste Marie to be with us today. We have Kevin Goldstein, who's the president of the Safari Club. As well, we have Norm Monaghan, who's a director for the Ontario Federation of Anglers and Hunters as well as the Zone G chairman. I think also we have Tony Bernardo, who's the executive director for CILA, the Canadian Institute for Legislative Action.

I want to thank all these individuals for taking the time to come out today.

It's a lot of organizations and individuals such as this that actually take the time. One of the programs that I briefly mentioned was the classroom hatchery, where the Metro East Anglers came out and helped on that. Another one that we've been doing for a number of years now will shortly be coming up again: Kids' Fishing Day. Last year a number of organizations—Norm Monaghan, the South-Central Ontario Big Game Association, the Metro East Anglers and a lot of other organizations—actively participated in bringing out kids who typically don't get

the opportunity to experience the outdoors. We had nature trail hikes, where the Metro East Anglers did birdwatching and understanding of a lot of the typical happenings in the forest, as well as the opportunity to go fishing.

Not only that, but we had a snapping turtle come up and begin to lay its eggs, which was an experience that a lot of these kids never have had the opportunity to enjoy.

The Y participated, the Settlement House, the Boys and Girls Club, community health, the police department, and Chris Partridge from the Durham Regional Police actively participated. He came up and he said, "A lot of these kids have never even had the opportunity to go on a bus ride before. Here we've given them the opportunity to get out, to have a full day and a barbecue and a lot of experience."

This year, I might add that we have Ducks Unlimited coming on-line to help out with the program. Last year we had over 450 children out on that particular day, and this year we're expecting a lot more.

There are a lot of groups and organizations that have participated actively and worked very hard throughout the province. I happened to be with Mr Bell when we were moose hunting on the Pagwachuan River. It was quite a ways in; we had to drive in through one of those bush roads that Mr Bisson is so concerned about, and I fully understand why. We put in there and then it was eight hours downriver from there. There was nobody there.

1900

There were three of us in a canoe and we were up a small tributary. We were paddling along and there were three mallards swimming in front of us. All of a sudden there was a huge splash in the water and two mallards took off because the third one had been consumed by a fish right in front of us. I know Mr Wettlaufer is quite concerned; he wants to know exactly where that is, because just think of it: in the September season a full-grown duck being consumed by a fish right in front of you.

Interjection.

**Hon Mr Ouellette:** No, it's not; it's true, Mr Murdoch. This is a true story. Actually, it was quite interesting. I know Mr Murdoch has a very active outdoor club and runs a great salmon spectacular up in Owen Sound every year. He does a very good job in the community, in promoting the hatcheries up there—the Sydenham hatchery and the Chatsworth hatchery, I believe it is. These organizations are very active and work very hard.

It's all about passing these things on to generations. When my kids were first born, we'd take them out in a boat. It's not so much catching a fish or the big fish or fish all the time; it's just about keeping busy. Every time we caught a fish, we would have a cooler of water inside the boat. Whether it was a perch, a rock bass, a small-mouth or any of the other ones, we would put the fish in the cooler, and the kids just had a ball watching them swim around. At the end of the day, before we went

back, we put all the fish back in the water. That was an experience that they so much enjoyed.

They want to hear about some interesting stories, because I imagine there will be quite a few stories told during this debate. We were out at this particular location, Benoir Lake, which is at the top end of Elephant or Baptiste Lake. We were at a cottage and finally it was the day to go home. I hadn't had an opportunity to go fishing in the fashion that I rather enjoy. The boys were with my wife, Dianne, up at the cottage and I went down to the dock and started casting. "Dad's down at the water," and the kids come running down. They're splashing in the water and it's like, "It's not going to happen."

**Mr Ernie Parsons (Prince Edward-Hastings):** Is this part of the bill?

**Hon Mr Ouellette:** It's hunting and fishing, and that's what this bill is about. So we were there and the boys came down and they wanted to play in the water. I was a little frustrated, so I said, "Boys, are you going to play in the water here?" They said, "Yes, Dad." I said, "I'm going to the dock over there to cast," because this particular area is quite well known for muskie and pickerel. So I started casting and then my older son comes up and says, "Dad, can I fish with you?" I said, "Sure, Josh, you can, but you've got to keep quiet, remember." He said, "No problem." At that time he puts his feet in the water and he starts splashing away. "Josh, we're not going to catch any fish if you keep splashing away."

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** The fish will eat him.

**Hon Mr Ouellette:** Mr Murdoch says, "The fish will eat him." So we're casting away and I just give up. I figure, "That's it, no more fish this weekend; no more fish this week," which is fine. So I cast out and I'm just reeling in, just to be there, and all of a sudden I catch about a pound-and-a-half smallmouth bass. I reel the bass in. My son is there and this is the biggest fish they've seen the entire time. So I say, "Josh, go get Mom." So he rushes off to get his mother and his brother and Baba, which Mr Kormos can identify with very clearly. Baba had to come over. I played the fish like it was a big fish because, quite frankly, in their eyes it was a big fish.

Before that, I had had my reel fixed, or so I thought.

**Mr Peter Kormos (Niagara Centre):** This is a long story.

**Hon Mr Ouellette:** No, it's not that long a story, Mr Kormos. So I'm reeling away and all of a sudden I tell my wife, Dianne, that I'm going to bring the fish in to show the kids. So I'm bringing the fish in and, guess what? The reel is broken; it's not coming in. I'm reeling and reeling and nothing is happening. I'm tightening the drag, reeling it in and still nothing. I say to Dianne, "I'm going to back up, show the fish to the kids and then I'll see if I can just get the fish off and let it go on its way." When I back up, sitting there, I pull backwards and there is the pound-and-a-half bass sitting sideways in a muskie's mouth. Of course everybody is excited.

**Mr Murdoch:** Is this the muskie that ate the duck?

**Hon Mr Ouellette:** No, this is a different spot, Mr Murdoch. It's not the muskie that ate the duck.

**Mr Parsons:** Is this still the same story?

**Hon Mr Ouellette:** It's still the same story. So I say, "Get the net, get the net." What do I do? I pull on the fish and the fish comes right out of the muskie's mouth. So I looked and I thought, "Oh no." The muskie just kind of looked. You'd almost swear he'd wrinkled his brow and he attacked that fish again. Three times this happened—this is a true story—and on the third time the hook came out of the bass and hooked the muskie and I landed the muskie. To this day I have the picture to show that.

The look on the kids when they saw the fish in the water they were swimming and splashing in certainly opened their eyes. It was an experience and it was an understanding of nature, that we can swim in this water and this fish can live in there. Of course we released the muskie back into the water and allowed it to go on its way. It was about a 40-inch muskie and it was something to see—that pound-and-a-half bass sideways in that 40-inch muskie's mouth. It certainly was something.

I see there are other members here and I know we've done quite a number of speeches throughout the province. On a regular basis, some of us are asked to say a grace. One of the graces that I've expressed in the past goes like this: "Oh great Manitou, we thank thee for the bounty of nature thou has bestowed upon us, thy humble servants. We thank thee for the flutter of many wings in the springtime, for the forests and the big and the little creatures that dwell therein. We thank thee for the clear, cool waters of our many lakes and rivers and for the many finny denizens that live therein."

What that says is, it talks about the appreciation. I know it was at the Temagami Chamber of Commerce dinner—the member from Temagami is here—where I gave that grace, and there were so many people from not only the First Nation community but the outdoors community who came up and gave such an appreciation of saying that grace that a lot of them asked for it and I did pass it on to them. It was at that particular event that I became the 2000 moose-calling champion for Temagami and district.

**Mr Murdoch:** Can you do that in here?

**Hon Mr Ouellette:** I don't know if I can. I don't know if everybody wants me to give a moose call. Maybe a little later we can do a little moose calling.

This was a wild game dinner in Temagami that was put on by the community, sponsored by the chamber of commerce in that community. It was to raise funds for advertising for the community and for the promotion of Temagami in the area, and it was something that is taking place throughout all of Ontario. So many of the anglers and the hunters are contributing back in so many different ways. Not only did we mention the financial aspect and mention the volunteers in the classroom hatchery program, but there are a lot of the organizations that are in attendance here today that spend a lot of time conserving those wetlands or preserving all those sites



throughout the province, because they're so concerned about the fish and wildlife of this province as well.

They are dedicated individuals who spend a lot of their time in the bush and work very hard on behalf of those aspects. I know Mr Monaghan is here and he's the director for the South Central Ontario Big Game Association, an organization that in the past has spent thousands of person-hours, volunteer hours, working on things like the trail—there's a number of trails down at the Second Marsh; they cleaned up the Second Marsh. I assisted there and they took out I think it was five or six bins full of garbage from the stream, that had the stream backed up. We had taken tires out and shopping carts and all sorts of garbage. We just piled it up. It was thousands of volunteer hours that made those things happen, from organizations such as the South Central Ontario Big Game Association.

Not only that, but they also provide educational opportunities so that people can enjoy and experience the outdoors in many fashions. You know something? One thing is, in all of the hunting experiences that I've mentioned here tonight there wasn't one time where we actually had taken something. We participated in the outdoors, we gained experience and we had a lot of enjoyment. And we contributed financially, if that's the way people want to view those things. But the biggest thing is, we gained a personal understanding of the outdoors, which is so important to so many people.

The South Central Ontario Big Game Association is very active and used to teach a moose-hunting seminar. I can remember the Leslie Frost centre in Dorset where they would go up for years at a time, and people from all across the province would come into the location, spend the time in order to gain more experience and understanding about all the activities and big game such as moose. Not only that, but this particular organization now has the Carl Sedore deer yard. It was a deer yard that was actively worked in. What they do in this particular area—there's about 100 or 200 acres there—is go in and cut one- to two-acre plots of bush in this particular area. They'll pile it up so the deer and animals in that area can feed on it.

#### 1910

For those who don't know, rabbits will use these brush piles as protection to ensure they're protected from predators. Not only that, but they are nesting sites for them. When they cut this brush, the one-acre plots, it develops self-sustaining new growth in the area.

A lot of things we do in the province of Ontario are not so much managed for the game and the animals that are around. These organizations go up every single year and spend hundreds of hours of personal time. They use all their own equipment and their own Argos and snow machines to get in there and work on it. These are just some examples of things that so many organizations participate in.

When we talk about these activities, I can remember the relationships. They're not just with future generations or your camaraderie with your friends and other things like that. It's also understanding the pets you may have.

I can remember a dog of mine, a Chesapeake Bay retriever by the name of Ginger. Ginger and I were out duck hunting at the time. I had a set of chest waders. I was duck hunting from a particular beaver lodge. I looked over at my friends, who just had standard rubber boots that you'd buy for fuddling about in the backyard when you're gardening; they weren't even knee-high rubber boots. I asked them, "Al, Rick, would you like me to leave the dog with you?" They said, "Oh, that would be great, Jerry. We'd really appreciate that."

It had been an active day—you can hear each other back and forth in the pond—so I came out early. I walked up, and these guys looked at me. The dog looked up at me, and then it ran into the water. They looked at me and cursed. They said, "Jerry, you," and cursed on and on at me, back and forth. They said, "What was the last thing you said to that dog?" It was two or three hours ago; I was trying to scramble. I said, "Oh yeah. 'Ginger, sit. Ginger, stay.'" For two or three hours that dog sat there and never moved until it saw me. It's a true story. As soon as it saw me, it headed into the pond.

These are examples of relationships you build, not only with your friends or your kids for future generations, but also with the pets you have. It was one example about Ginger that was just phenomenal. People couldn't believe that a dog would take a command. Every time a flight of ducks would come in, the dog would spot them, jump up, run around and sit back down. It was another example of a relationship built.

I know there were other occasions when I had a beagle—

**Mr Parsons:** Was there more than one dog?

**Hon Mr Ouellette:** No, there was only one dog that particular time, although there was another dog that I owned as well, a beagle, Tessa.

Tessa was a very active dog and quite well known. She entered some of the trials. Some organizations go out on trials and actually run rabbits, not for hunting purposes but for training the dogs and to exercise the dogs as well. She was very active and did very well in those situations. But it was a relationship: "Hey, Tessa, do you want to go hunting?" She would look and go right to the door with her leash and collar in her mouth. She fully understood everything. It wasn't so much that I would even bother taking shells at times. I might take a firearm, but a lot of times I didn't take any shells. I just wanted to go out and have an experience with the dog.

It was quite interesting, in this particular case—she was a beagle. I would take people out. We would go to a location, sit down and I'd build a fire. Everybody would say, "What are you doing?"

I said, "We're hunting."

They said, "Well, why are we doing this?"

I said, "The dog will tell us."

They said, "What do you mean?"

I said, "Just stay here and watch."

So we'd get a fire going. The dog would run out 100 or 200 yards until she had completed a full circle around us. When she picked up her own scent where she started,

she would come back to us and start whining. I'd say, "There's no game in this area." They'd look, and they couldn't believe you'd understand an animal and know it was talking to you. I'd look at them and say, "You just have to understand dogs. They do talk to you. They understand." That's how they know when you say, "Do you want to go hunting?" They get all excited and move toward that. Those are just some of the things that take place.

I can remember another time. It happened to be the same time when I spoke about Philip Gagnon. It was a Thanksgiving weekend, and we were 16 hours into the bush. We were down there, and Pierre said—and I know Mr Bell would remember this particular case—"Whatever you do, sleep under your sleeping bag." We were staying in a trap camp. It was a small camp that would be the size of four desks—well, maybe six desks—and that's about it.

I said, "Why sleep under the sleeping bag?" and they said, "You'll understand." So of course you don't sleep under your sleeping bag, and in the middle of the night all of a sudden you'd wake up as a mouse or a squirrel would run across your face. It was quite the experience. I can remember one time when we were there, I woke up in the middle of the night and I could feel something rather funny happening to my hand. I looked down and there was a mouse chewing on my fingernail. Of course, you wake up in a panic and shake your hand. But they were all experiences. In every one of those cases that I mentioned earlier on, we didn't get anything in those particular days except the enjoyment of being in the outdoors, not only with family but with friends and with the pets that we so much spend our time with.

I know that this year, Kids' Fishing Day, we have Ducks Unlimited coming in. There is an organization that has conserved thousands of hectares of land throughout the province and the country. I know they are very concerned with water quality and they work very actively with it. There are organizations such as those and such as the ones that are in attendance today that work so hard at preserving a lot of the outdoors and a lot of the outdoor commitment and passing it on to generations. I know the OFAH, along with COHA, has a youth program to help bring in new youth so that they have an understanding. That's essentially the same thing we did on the Kids' Fishing Day. It was an opportunity to take kids out into the bush or the field. This year we have—

**Mr John O'Toole (Durham):** When is that?

**Hon Mr Ouellette:** Mr O'Toole is asking when that is. It's Saturday, June 8. This year we have a nature trail hike. We have dog demonstrations so that kids understand the relationship with pets.

But hunting and fishing aren't always about getting something. I can remember another time when my wife, Dianne, and I were running with our dog with another friend. We had put my wife in a particular spot, and she was sitting there and we could hear the dog going through and going through. After that, we all walked out, and it was another one of those days where nobody had

even had a shot or had an opportunity. We asked, "What happened? We heard the dog go right by you. Did you not hear anything or see anything?" Dianne looks up and says, "Oh, I didn't see anything. I didn't see anything." So I said, "Well, I don't understand, because we could hear it. It sounded like that dog went right by you." Later on, she said, "Well, I didn't want to say anything, but the rabbit went right by and the dog went by, and the dog looked up at me and gave me one of those looks like, 'What's the matter with you? It was right there.' So I was afraid, because the dog was giving me heck and you people were giving me heck." I said, "Dianne, you don't understand. You don't always have to get something. It's more, 'Did you have a good time?'" Well, the dog had a good time, I had a good time, everybody had a good time. It's understanding that relationship with nature, to be able to say that the rabbit went by, the dog went by, and you just looked up.

I'll give you another incident, not this fall but the previous fall. I get pretty active, or used to be fairly active. I'd been invited out with a number of organizations. The Northumberland wild turkey chapter individuals, the executive, had invited me out for a goose hunt. So I put all the gear on my boys. At the time, they would be four and five. We went out and I sat them on the edge of a cornfield. Of course, four- and five-year-olds, what do you expect? They can't sit still too long. So we got up and walked around and we looked over and there was a 10-point buck, which essentially is a deer that has 10 points on it. It was walking from a wooded area over into the cornfield to feed in the field we were in. The boys had a marvellous time just looking down, experiencing that.

Then we went back, after they had settled down a bit, and all of a sudden a flight of geese came in. I'm looking over and I'm saying, "Now, don't move, guys, because they'll see you and they'll go." So I looked over, and the youngest boy, Garrett—I had to reach over, because while the geese were flying over, I had to stop him from falling off his chair. He couldn't believe they were going over. Josh looks up at me and says, "Dad, why didn't you shoot?" I said, "Josh, why didn't you shoot?" He said, "Dad, I don't have a gun." I said, "But are you hunting?" He said, "Well, yeah." I said, "Josh, just because you go hunting doesn't mean you always have to take something." At that point, he understood there was a larger relationship than just going out and taking something. That was another example of showing the youth of today that hunting is more an understanding and appreciation of nature.

Yes, there are times when you do take animals. There are times when you can. There have been a number of situations I've been in where typically people will come up and say, "Oh, it's terrible that you're hunting." It's usually around a function of some kind. I'll look over and say, "Well, how was the roast beef sandwich?" and they look at me and say, "What do you mean?" I say, "You don't understand. The animal you're eating right there was raised for one purpose and one purpose only, and



that was for your consumption." At least a lot of the people, when they go hunting, have the opportunity to choose the animals they wish to take or do not wish to take, and there are a lot of individuals who participate in this activity.

1920

I remember Tudor Howard Davies. He was probably the most experienced big-game hunter I've ever met, possibly one of the best in the world. He worked in a lot of the African countries as a—essentially it's our equivalent of a conservation officer. What Tudor would actively do is, he would be sent out by biologists to regulate herds. He would be told, "Oh, you might have to take 100 four-year-old females out of this particular herd." He would have to be able to go out and identify these animals and to recognize the age of them at a distance. As an individual, he had more respect for nature than anybody I'd ever met. He'd often said that as a professional hunter in Africa he would never take a rhino nor would he have the intention of guiding anyone who would ever take a rhino, because there was nothing in that animal that would be hunted. It was there and you took these things.

It was individuals like this who gave experience. I can remember he said, "Does anybody know how to do a pat?" I said, "What is a pat, Tudor?" and he said, "A pat is when an animal is coming along and you know the game trail and if you pat the ground down you can tell whether it's a female and the age and the weight of the animal simply by the wear on the hooves, the position of the hooves and the depth of the print." It was that sort of experience that some people can understand. You often hear about the native hunters in Africa, why they're so experienced and know so much about these things. That's because they can identify with nature so much that they'd be able to identify an animal by its weight in the depression that it leaves, the wear on its hooves and other aspects like that.

But there are so many things that contribute to the community as well.

I can remember as well Dr Peter Martin in Kapuskasing—Mr Bisson may know Dr Peter Martin—where I was invited out with Peter Martin. On the morning we went out it was for a goose hunt and it was another one of those incidents where nobody got any geese, nobody had any shooting, yet in the field beside us over a thousand sandhill cranes landed that morning. The farmer wasn't too happy, mind you, because sandhill cranes—

**Mr Murdoch:** How many?

**Hon Mr Ouellette:** Over a thousand sandhill cranes landed and it was just the most—it's like a prehistoric sound that they make when they come in, and they were coming in from all directions.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** What sound?

**Hon Mr Ouellette:** I don't want to give the sound, Mr Baird, but it's kind of a chirp. It's a high-pitched kind of a chirp and they would come from all directions. But the farmers in that area were extremely upset because these

animals will eat standing grain. Guess what? As my wife constantly says, these animals need a place to live as well.

As we expand our jurisdictions and our land, our mass, and are building our houses, we put a lot more pressure on a lot of this game, a lot of game species and a lot of animals looking for places to live. A lot of organizations from all aspects, not just the outdoors and the hunting community, but from other communities as well, want to ensure the long-term livelihood of nature in Ontario. That's why we have things such as the Oak Ridges moraine legislation.

I've had the opportunity to speak on so many issues today and I very much appreciate that. I know Mr Stewart is going to speak shortly and a lot of other members look forward to speaking on this particular piece of legislation.

Recently in the National Post—it was on Friday, May 24: "Atlantic Salmon on Brink of Extinction." Yet when they talk about extinction in that particular case, here is a fly fisherman casting out. It's the Atlantic Salmon Federation that is actively working, in the same fashion as a lot of other organizations are, to protect that resource for future generations.

I worked with Metro East Anglers in their hatchery, where this year they had approximately 100,000 Atlantic salmon eggs coming in. Not only that, but in the natural process for them approximately 80,000 of those eggs had passed on. You have to remember that in nature 3% to 5% is a good success rate for a lot of those eggs. Yet here's an organization that's actively putting in what it's taking out, as so many do in the province of Ontario.

**The Deputy Speaker:** Thank you. You are sharing with the member for Peterborough, so you now have the floor, sir.

**Mr R. Gary Stewart (Peterborough):** I too am very pleased to speak to the Heritage Hunting and Fishing Act. I would just like to read what this act says. I think this is the part you have to realize; it recognizes the right to hunt and fish recreationally in accordance with Ontario laws. That's the key to this entire act, that there is the right to hunt and fish in this province but they have to be done in accordance with the act. I believe, and it's a fact, that the legislation emphasizes that properly regulated hunting and fishing are legitimate and appropriate activities that Ontarians have enjoyed for generations.

I too want to welcome the group, all of whom are members of the hunting and fishing community, as well as representing many organizations that are involved with environmental and conservation issues in this province. I appreciate their being here.

I also want to thank a couple of people. I had the privilege under the previous Premier to be asked to chair the committee that initiated the Heritage Hunting and Fishing Act. There were two people who were members of that committee, one being Gerry Lee and the other one Pat Kennedy, both of whom are very ardent hunters and fishermen but also believe in conservation of our wildlife and our resources in this province.

The reason that we put the name of "heritage" on this particular act is that hunting and fishing go back, basically, to the beginning of time. I just want to read to you a section, if I may, and it is from the Heritage Gazette of the Trent Valley-Fairview Heritage Centre. It was a piece that was in the Peterborough Examiner on October 30, 1909. It's titled "Peterborough's Deer Hunters Off to their Favourite Trails."

"Will be ready for the opening of the season on Monday morning—where local enthusiasts will follow the monarchs of the forest.

"Monday, the first of November is the official opening of the deer shooting season which will be ushered in with the baying of hounds and re-echoing rifle reports in the unbroken wilds of the northern country. Peterborough's sporting fraternity have been leaving in groups during the past few days and by tonight they will all be gone. A long cold drive and a rest tomorrow in preparation for an early start on Monday morning and then with the dawn of the morrow the curtain will be wrung up. The weather is inviting and the prospects are of the best. The nights, however, are too cold, and in consequence the creeks and bays of the lakes are frozen up every morning, and it is said the ice has not disappeared before the noonday sun. A little finer weather and the conditions could not be improved upon."

Under that it has "Battle Lake Party."

"One of the happiest parties that leave Peterborough is that which makes its headquarters on the shore of Battle Lake.... They not only have plenty of sport but their evenings are spent pleasantly and as a male chorus they would do credit to a Schubert production. Battle Lake still re-echoes with last year's favourite...."

Another one: "Mr J.B. Larouque has gone to Parry Sound where he will hunt with a Toronto party. They still go in for big game and all guesses are wrong if 'Bat' does not bring down a moose."

The reason I read that was the fact that this is a heritage, this is something that has gone on in Ontario and indeed in Canada from the beginning of time. I believe that it should be enshrined in legislation, that we do have that right, providing we comply with the laws that we make.

That's one of the keys with the commission that's going to be established: that we will have people who are involved in the sport, in the recreation; we'll have the people who are involved with conservation, those who want to make sure that environmentally things are the way they should be, because hunting is a lawful and responsible pursuit of wildlife. It includes the opportunity to harvest animals for food, clothing and cultural purposes. Hunting also remains a relevant and enduring part of our culture and heritage.

#### 1930

Early leaders in the hunting community, people like Seton, Roosevelt and Leopold, recognized and promoted the need for conservation policies and programs to benefit all wild creatures in North America.

The hunting community has always been in the forefront of ensuring the continued welfare of all wildlife and

their habitats. Organizations that these gentlemen and ladies over there represent put major dollars into the habitat, conservation and wildlife resources in this province, much of which—through the ministry and through the Ontario Federation of Anglers and Hunters, Ducks Unlimited and all of the other ones—is based on good science-based management, careful regulation and habitat conservation. They have also created programs, both for young people and we old, to make sure that we do protect the wildlife and that we have a sustaining resource.

It was interesting when Jerry was telling about some of the stories of the fish he caught. I probably should stand up here and tell you about the fish that got away or certainly the wildlife I didn't hit when I was hunting.

I must say that I belong to the Indian River Hunt Club, a club that is very family-oriented. I've had the pleasure of my wife being in the camp a good many times, my son, my daughter, their friends. It has become a family venture a number of times each year and I think that's one of the keys to it. Look at the programs that the minister talked about, whether it be the Greenwing program with Ducks Unlimited or the annual family fishing weekend, the program that anglers and hunters have where kids can go and borrow a rod and reel and go out fishing for the weekend—tremendous programs. In fact, as you know, the anglers and hunters head office is located in the great riding of Peterborough and in front of their facility they have a pond. That pond is to allow disabled kids to come and fish and have that experience, that they probably wouldn't have otherwise. I think it's a tremendous initiative on their part and I can tell you that the kids enjoy it.

One of the other things this act does and will do with the establishment of the commission is that hunting and fishing will continue to be ecologically sustainable, it will be safe, it will be lawful, it will be ethical and it will be true to the hunting heritage of our forefathers.

When people think of hunting and fishing, they think, "Oh, Jeez, it's all guys; it's that guys' weekend away." Let me assure you that you heard from the minister that he took his wife on various hunting trips. There are more and more women getting involved in this sport, in this recreation. Programs are out there to introduce not only the young but women as well to it. Certainly they are very, very involved with it.

If you look at some of the stats that were done by the Hunting Heritage Hunting Futures program, some of the stats you might be interested in are: only 8% of Ontarians are against hunting under any conditions; 35% of Ontarians believe that hunting may be acceptable given some limitations, and I think that's where the commission comes into effect; over half of Ontarians are either hunters themselves or find it acceptable for others to do; 85% of Ontarians think there are at least circumstances that make hunting and fishing acceptable. Those are good stats. Those are stats that the people of this province want to know about.

Hunters are conservationists; 60% of residents of Ontario agree with that. Three quarters of the people in the



province believe hunting is an acceptable strategy to manage wildlife populations. I think that's one of the keys to it: hunting and fishing do manage wildlife populations. About 62% believe hunters do their part through wildlife management programs. And the public needs to be reminded that the dollars produced from licence revenues support all these initiatives.

Another interesting stat is that 82% of Ontarians believe hunting is part of Canada's cultural heritage. It's interesting when you sit back and ask who are the hunters in your community. "Oh, those are those rednecks. Those are the guys who drive around in a half-ton with a red cap on," and so on and so forth. Who are the hunters in your community? Let me tell you. They're your doctor, your bank manager, the guy or the woman who fixes your car, the local fireman, your plumber. Those are the hunters. Those are the ordinary people of this province who are involved in hunting and fishing. They are concerned about making sure conservation is maintained, that the laws are maintained, that safety is maintained and that ethics are maintained.

Hunters look just like you and me. They're your neighbours. They're your friends and relatives. They're just ordinary people enjoying an activity. Much the same as other activities you enjoy, they enjoy the one they are doing. As Jerry mentioned, they are family outings, major family outings.

Hunters are conservationists and are key to sustaining our wildlife populations in healthy conditions. Hunters put more time, effort and money into conservation and environment programs than any other group of people. Hunters, fishermen and farmers are the original environmentalists. Their knowledge of land and concern for our environment are part of our hunting and fishing heritage. Hunters and hunting, fishermen and fishing play a major role, as I said, in controlling the wildlife populations. They are a major contributor to our conservation efforts. Without them, and without the organizations we have in this province, it's a recreation that will be totally out of control and will die in the long term.

Mr Speaker, I don't know whether we have another member who would like to make comments. I assume his not being named is satisfactory. I would ask that all members of this House support this legislation. It is an act that I believe is long overdue, an act that will help us control the wildlife population, make sure it is healthy and make sure our kids, our grandkids and our great-grandkids have the opportunity to hunt and fish in the future. Certainly the apprenticeship programs we have and the safety programs we have—I want to congratulate all those who are involved in this recreation. For those who have gone out of their way—and you have these people up here—who are dedicated to making sure—and I would hope that maybe those as well would realize this is a recreation but not only that. We want to conserve; we want to keep the resources the way they are, if we want a healthy population of animals and fish in this province, it's groups like these that get behind this and we put the dollars in.

I'm going to sit down, Mr Speaker. I thank you for allowing me to speak to this bill. I will suggest that the member for Lanark-Carleton would continue.

**The Deputy Speaker:** Further debate?

1940

**Hon Norman W. Sterling (Minister of Transportation):** It's indeed a pleasure to speak in support of this act. I have the distinction of representing a riding which is half within the city of Ottawa and the other half is the county of Lanark. When you get to the back of the county of Lanark, the northwest portion of it, you get to a very sparsely populated area where there is indeed still a lot of crown land.

In representing both of those kinds of constituencies, I hear from both sides of society in terms of talking about hunting, fishing and animal issues. I can't tell members who represent urban areas how important hunting and fishing are to the rural way of life. I know of course that there are many people who live in urban Ontario who also participate very much in both of these activities.

But from a rural standpoint it is not only a recreation, it is actually a way of life they have taken on that has been handed down by their families and that they believe in very strongly. The hunting and fishing communities have worked over the past 100 years with various different government departments to be absolutely certain that their love will continue on into the next generation, and not only the next generation but for many future generations to come.

When we have a crisis with regard to animal populations and those kinds of things, it is often the hunting community that comes forward and says, "We have to find a solution to this." I'm told, for instance, that now in the province of Ontario we have something like 25 million deer, whereas at the turn of the 1900s there were only about 15 million deer in all of Ontario. That's alarming from the standpoint of not only those people who drive up and down different roads; it's also alarming from the standpoint of people who want to see deer continue to exist, free of disease, strong and healthy.

I have found, in my experience over the past 25 years in serving here as a member of the Legislature, when I have had the pleasure of representing people both from urban settings and rural settings, a tremendous contribution from this community, which considers this bill very important to them for defining their rights. I have found that they have contributed very greatly to the enjoyment of the people of Ontario. I'm told that over 35% of the population of Ontario actually casts a line each year. That illustrates how important and how popular that kind of activity is.

I believe that this bill will give credibility to the thoughts, desires, aims and principles of both the angling and hunting communities. Far too often I read or hear a newscast or a story from a person in the media which goes unchallenged. I would hope this commission, when it is set up, is better able to explain the point of view, bring forward the facts with regard to the other side of the story. I think it's not told often enough as to why it's

necessary to have a longer hunting season, why it's necessary to have a special hunt in a particular area in order to cull out the herd, in order to produce a healthy stock of animals for the future.

I really hope this commission that we're setting up will represent with a stronger and more unified voice. Even though we have had very strong organizations in the past, I hope they are able to explain to the public at large how important hunting and fishing are to the people of Ontario.

I congratulate the Minister of Natural Resources for bringing this bill forward. I think it's long overdue. It's a great recognition of the group, the people who are sitting in the gallery today, and the many clubs, the many people who have volunteered a huge number of hours to sustain this very important activity in our province.

**The Deputy Speaker:** Members now have up to two minutes to ask questions or make statements with regard to the government's opening debate. The Chair recognizes the member for Sudbury.

**Mr Rick Bartolucci (Sudbury):** Thank you very much, Mr Speaker. I have to suggest to you that you have offered an awful lot of latitude to the members for Oshawa, Peterborough and Lanark-Carleton, because they didn't spend a whole lot of time talking about Bill 135, the Heritage Hunting and Fishing Act.

It's the position of the Liberals that this bill should already be law. It was our position on December 12, when we asked for unanimous consent in this House to have passage of this bill. Of course, as we all know, it was the NDP who blocked that.

I have to tell the people who are watching tonight and the people in the audience that I didn't hear the relative statements I was looking for from the minister and the two members; and that is, that Bill 135 recognizes the important cultural, social and economic benefits of recreational hunting and fishing in the province and the contributions made by hunters and anglers. Maybe it's because I'm from northern Ontario, maybe it's because I believe that we make positive contributions and maybe it's because I believe it's within our heritage that we should have this bill passed.

I'm not impressed with what I heard tonight and I'm sure the people who are viewing in Ontario aren't impressed, or the people who are in the gallery.

*Interjections.*

**The Deputy Speaker:** Take your seat, please. I want to say to the government backbenchers in particular that I think the opposition has been very restrained over the last hour in allowing you to make your speeches. I'm asking you to allow them the chance to have their right to comment. Sorry for the interruption, member for Sudbury.

**Mr Bartolucci:** I know for a fact that the people who are in the audience tonight can't be impressed with what they heard, because you know what? You didn't talk about the important issues. You didn't talk about what the essence of hunters and anglers is all about.

Listen, this bill should be law already. We should be spending our time debating something else. But no, be-

cause of your government's mishandling of this bill and because the NDP doesn't see, for whatever reason, the importance of passing this, we are now debating this and will be debating it over the course of the next two days. I say this is a simple bill, it's a good bill and it should be law already.

**Mr Kormos:** I have but two minutes. I will be speaking to the bill in due course. The member for Sudbury has a lot of anger, a lot of hostility. I'm not sure he's sure who he is angry at or with. He seems also to believe that we should pass legislation here without debating it.

Yes, I listened to the first hour of debate. Quite frankly, I found it constructive. It's not the end of the debate, it's the beginning of the debate. I'm eager to see this bill debated. I have no intention, as a member of this Legislature, of relinquishing my responsibilities to my constituents, to this House, in passing legislation without making sure it's subjected to thorough scrutiny and debate.

In short order, before the evening is over, you're going to hear from our member for Timmins-James Bay, who is our critic for natural resources among other things. I am confident that Mr Bisson is going to add considerably to this debate. We're going to be carrying on with the debate through second reading. Quite frankly, I think the bill should go to committee. I think it should receive the scrutiny and the input from any number of people and organizations that want to provide commentary on this bill through the public committee process so that can be considered by legislators as well.

**1950**

I say to people who are angry and hostile, who perhaps are projecting or merely feeling frustrated, or perhaps something went wrong earlier in the day—I say to those angry, hostile, little people, just let the process happen. Please, if you are a member of the Legislature, fulfill your responsibilities by participating in the debate and encouraging others to do so as well. For me, I'm looking forward to hearing what Mr Bisson has to say. I'm looking forward to my participation in this debate. I welcome debate. I'll be darned if we should be curtailing it.

**The Deputy Speaker:** Just take your seat for a minute. Sorry. I just want to express my disappointment in the member for Sudbury. He's usually someone who cares a lot about the procedures in this place. I went out of my way to make sure you had your right to speak and, on at least three occasions, you felt the need to interject. I'm disappointed and I'd ask you to reflect on your actions here this evening.

**Mr Murdoch:** I'm not angry at anybody, I'm just happy we got the bill in here. I want to thank the minister and his parliamentary assistant tonight for speaking on it and bringing the bill to the House.

Yes, some people think this bill should have been done before and it's too bad it wasn't, but that's the way this House works. Sometimes good things take a little longer. It will pass, I'm quite sure about that, and we will get some debate on it. But you know, Mr Minister, we've



got to think of some of the reasons why this bill is here. Premier Mike Harris promised this bill would be brought to the House. It was brought to the House before he left and he made a promise on that. We have to carry his promise on and make sure we get it passed.

We need this bill for various different reasons. One of the main things is we that don't want to happen to us what happened to the black bear, when we had the spring bear hunt cancelled. We don't want that to ever happen to us again in here. We don't want to be blackmailed by a group that can come in here and hold up this House and cause things to happen that maybe we didn't want to see happen. It did happen, it's unfortunate and we don't want that to ever happen again.

This bill gives us our heritage to our hunting and fishing. As has been explained to a lot of people here before, in rural and northern Ontario it's essential that we have this. There are a lot of good things that happen in our hunting and fishing. I'm a little disappointed; I may some day in the future be able to include trapping in this bill because I think that's part of our heritage also. If we hadn't had hunting, fishing and trapping in this great country, it wouldn't be as great as it is today.

I am pleased that this bill is here. In my riding we have many clubs. I'm concerned about one thing, though, in some of the stories that the minister told us. I just don't know whether they were all true or not. They were quite big fishing stories anyway, we might say. In my area we do have some of the best fishing you can find, some of the best hunting and we do have an over-population of bears, so when we do get the spring bear hunt back, we can come back up there and hunt.

**Mr Dave Levac (Brant):** I appreciate the opportunity. I had a couple of points I wanted to make earlier, but I want to delay those for a moment to say that I stand in my place and see in front of me the member for Sudbury who I consider stands very tall in this place and is very dedicated to the people of his riding. As you may have, Speaker, taken exception, I take exception to the implication in terms of the words that were used by the member for Niagara that basically said that this man is small. He's a tall man and I appreciate the work that he does in this place.

I also want to make a comment about the bill. In 135, we're talking about a bill that has been requested and people are saying they're in support of it. I want to point out that the board has now turned into a commission and the definition is the same. So it's not really something that's making drastic changes in the province of Ontario overnight in terms of hunting and fishing.

I want to bring to the attention of this House one more time something that I have desperately learned right beside my riding, and that is our First Nations people from the Six Nations who have taught us the seven generations rule. Some 20,000 years ago, they created an ability for us to understand seven generations in front of us to take care of our environment. That's not to supersede the fact that there are people standing in this place who are talking about hunters and anglers as the people who have taught us those wonderful things, and I will not

take away from that. What I will do is make sure that we are not going to be affecting in a negative way our First Nations people, who taught us many things way before we were even here in terms of the seven generations. I want to use my time to reinforce that one more time.

I appreciate very much from the Minister of Natural Resources his wonderful stories. I do appreciate them. I too have done an awful lot of fishing in my day. The big ones have gotten away from time to time, but I've actually been able to get the big one from time to time. But I will say, let us not forget our First Nations brothers and sisters.

**The Deputy Speaker:** Any one, and only one, of the speakers on the government side may take up to two minutes to respond to these questions and comments.

**Hon Mr Ouellette:** I very much appreciate all the comments from the individuals here this evening. I'd like to say that many people don't realize that nature's not necessarily bountiful. Nature is actually very cruel. In the Peterborough crown game preserve, I remember the biologists from that area telling me that annually over 800 deer would starve to death. There's no hunting allowed in that area. It takes an animal three to four months to starve to death. Not only that, but while those are starving to death, all the other ones that actually do make it through are still starving. So nature isn't quite what people think it is when they view things through the eyes of Disney.

The member from Sudbury said he was concerned. I don't know whether he was here earlier on—I'd be happy to send him my notes—where I spoke about the fact that each year more than 2.4 million people participate in hunting and fishing in Ontario and that each of these activities contributes \$3.5 billion to the provincial economy and supports 30,000 jobs. I did go into the details about that.

If he wants to stop in and see Brian Rammakko at Tackle World in his riding of Sudbury, I'm sure Brian, who's a very good friend of mine, would be more than happy to go over a lot of the details of hunting and fishing throughout the province of Ontario. I know most of the people from most of the outdoor shops throughout the province, having worked with them in the past, and I'm looking forward to working with them and getting a lot of input from them. Actually, I should say that Mr Rammakko has great insight into the future of a lot of the things that should take place in the North. I have used a lot of his advice for quite a while.

But the essence of the bill is found in the actions of groups and organizations, and a lot of them are here with us tonight, not only those that are here with us tonight but those who couldn't and wished to be here as well. It's not just the hunting and the fishing community; it's all those communities, those who put so much into what they get so much out of.

**The Deputy Speaker:** The official opposition now has up to one hour to do their leadoff speech.

**Mr Parsons:** I will be sharing my time with the member for Sarnia.

Actually, I'm in my first week as the Liberal Party critic for the Ministry of Natural Resources. I was quite pleased when Dalton McGuinty, our leader, asked me last week. I looked at this bill in close detail. For a one-page bill, I'm quite surprised at how interesting the debate has been so far.

I compliment the Minister of Natural Resources on his speech. I now feel like I know his family extremely well. I wouldn't mind if you wanted to adopt one more, because I think I would enjoy some of your adventures. Actually, for some of your stories, if your arms were any shorter you wouldn't have been able to tell them, so it worked out very well. But I do compliment you on what you've shared with us because I believe very strongly in families. It's always thrilling to hear of the relationship that exists between parents and their children, and I compliment you on the time you've spent with them.

I'm not a hunter, unless you count groundhogs. We farm, and I've shot groundhogs. Indeed, as a teenager—and I realize this may be a little bit off the bill, but I get some sense that one doesn't have to stick strictly to the bill this evening. As a teenager, we were camping one time in the early spring. Our parents dropped us off, and about four days into it we ran out of food so we shot and cooked a groundhog. For any of you here who are entrepreneurial and believe there may be a commercial market for groundhog meat, I can assure you there isn't. You would need to fast for four days before they become somewhat attractive to eat.

2000

**Mr Bisson:** Try a porcupine.

**Mr Parsons:** I imagine cleaning a porcupine would be more challenging. However, I very much respect the right for people to hunt in Ontario.

I'm not a fisherman, so it may seem funny for me to be in that role. I was a fisherman at one time. I'm gambling that my father-in-law is not watching this channel at this moment and won't catch any reruns on it. I used to fish avidly, and then I was fortunate enough to meet my future wife, who is of Finnish background, and her father is an avid sports fisherman. He asked me one day if I wanted to go and fish with him, and wanting to get on his good side, I said I would. I realized that for him, going fishing meant us leaving the dock at about 4 o'clock in the morning in an eight-foot aluminum boat because he was too cheap to buy a big boat. We went out on to Lake Mazinaw to fish and we returned home about 8 o'clock that evening, so it was 4 in the morning till 8 in the evening. That's actually the last time I ever fished. I did a lifetime's worth of fishing in that one day. After that long in an eight-foot boat—actually, after six or seven hours—you run out of lies to tell each other, so it became a very long and boring day.

But I respect that for people who fish, it is a very powerful hobby. I also recognize that hunting and fishing is a very important component in our economy.

We farm. From time to time, we certainly have people who come and ask to hunt on our farm. I also appreciate that at times when they do that, in many ways they are doing us a favour.

In our community, the area was restocked with turkeys. We have had quite a number of winters that have been very mild and the fields have had corn left on them, so the turkeys have been able to do well over the winter months, to the point where we have huge numbers of turkeys, which cause problems to our crop. We have had severe crop loss. They also from time to time decide to move into our machine sheds. What that says to me is that when we have humans on the face of the earth, we're altering the environment. So while it is tempting to say we should never shoot an animal or we should never fish, I also know that we are affecting our environment.

I think of the example of cormorants. About seven or eight years ago in my community, you would have had trouble finding cormorants in the Bay of Quinte. There were probably 50 nesting pairs in total. This past summer, they believe there were about 9,500 nesting pairs of cormorants, which adversely affect the fishing in many ways. They have literally taken over some islands.

Why this huge increase in the number of cormorants? Because, as humans, we have altered the status quo for them. My understanding of what has caused these huge numbers of cormorants is that Florida now has a substantial number of commercial farms that raise catfish. They raise them in open ponds and open bodies of water and the cormorants view this as kind of a smorgasbord. So we're seeing substantial increases in the numbers of them that come up. They're an attractive bird and I certainly recognize the value they have aesthetically and that they're part of nature, but I also recognize the effect they have on the other parts of nature.

We have seen in Ontario a ban on the spring bear hunt. Bears are still being shot in Ontario in the spring, but they are being shot by the OPP now. In my community—we live just south of Sterling—one day in the afternoon in the schoolyard in Sterling four bears came in together. That's not a good thing. The bears continue to breed. Whether the spring bear hunt has had an adverse or a positive effect—we don't have an idea of the numbers, but I know there have been bears, and for four of them to come together into a schoolyard is certainly an item of concern. The Ministry of Natural Resources no longer has responsibility for them, so it's left with the local police departments or the OPP to deal with it. So there's still hunting of bears in the spring, but it's being done in a different manner.

In my community we're seeing a substantial increase in the deer population. So what is happening to the deer now is that they are being hit on the road by cars; in many cases, a very painful death. There have been people who have literally been killed. I know one individual who swerved to avoid a deer and ran into the ditch and hit a culvert and died. So can we allow deer to continue to breed forever? The minister spoke about the problem of animals starving to death if there's not sufficient food, and that's a realistic situation. But the other side of it is, as the populations increase, the deer come out on to the road and are struck and killed, or even worse, struck and injured, and then go back into the bush and maybe die days later from it.



There is a role, in my mind, for hunting and fishing in this province. I support the right for hunting and fishing in a very managed manner.

The bill itself that's generating all the controversy really is not very long, and it's broken down into two pieces. If I needed any confirmation that there's not a lot in this bill, I would refer to the speeches made by the members on the government side that from time to time wandered a little bit off the topic of the bill. There was not enough material in this bill to debate for an hour.

I looked back to when this bill was first introduced into the House, and that was by the Honourable John Snobelen, who was the Minister of Natural Resources at that time. His statement to the House on that date was, and I will read parts of it, "The proposed new act does not change current laws that regulate hunting and fishing in Ontario and provide protection for fish and wildlife habitat." So this bill doesn't change any laws. That's an unusual bill, because traditionally what we do in this House is make laws. We create laws. This new act doesn't change a single law. The minister said, "The government will continue to set standards and policy to help ensure that hunting and fishing are managed in a sound, sustainable manner and in accordance with ethical and humane practices." That's something I'll talk more about later. "The act, if passed, will mean that the proud and established tradition of recreational hunting and fishing will be preserved in Ontario subject to law and regulations."

So the minister in his introductory speech said that it really won't change anything.

There really are two parts to it, as I said a couple of moments ago. It grants the right to hunt and fish in accordance with the law. What does that mean? The closest analogy to that probably is when this government passed the Victims' Bill of Rights. There was certainly some belief among victims that they were now empowered and they had certain rights that they didn't have before. When those rights didn't materialize, they went to court. What the judge said was that the provincial government can't give citizens rights; under the Canadian Constitution, only the federal government can grant rights, by amending the Constitution or by granting rights.

So this first part, which is a feel-good, and I and the Liberals have no opposition to it—in fact, we are supportive of it—really is more a statement of belief or philosophy than it is a legal clause that grants rights that didn't exist before.

The other part of it says that it will change the advisory board. At the current time in Ontario, the Ministry of Natural Resources has a Fish and Wildlife Advisory Board. It's going to be abolished and be replaced with a Fish and Wildlife Heritage Commission. I'm not exactly sure what the difference is, so we need to look at what its role will be. Its role will be the same as the advisory board's role. It will give advice to the minister. Is that bad? Absolutely not. In fact, that's good. I have, from time to time, said that this government does not consult

enough, does not look to outside help. Even worse: when it does get advice, it often doesn't follow it. But this is a commission that will give advice to the minister on hunting and fishing. Good for them. I do believe they have a role. But I'm not sure it's much more than a name change. I don't see a substantial difference to it.

The critical thing will be: what is the makeup of the commission? Who is appointed to it? We have no sense of that at this time. Will there be representatives based on what organization they belong to, or will they be individuals, or will they be patronage—of course, they'll be patronage, but patronage based on what criteria? So we are not sure who that makeup will be, and I'd like to see who that will be.

#### 2010

I believe it is important that we ensure that the rights of people who hunt and fish are protected. We also—and this is a difficult balance, depending on your background. I can appreciate that people raised on a farm have a different perspective than people raised in the city, and people raised in northern Ontario have a different perspective than people raised in southern Ontario. But whatever their perspective, they are all full citizens of this province.

I think it's fair to say that politics is a compromise. We need to do all we can to balance the rights of everyone. That can be difficult, but it may not be if we listen to the advice given to us. We need to protect the rights and ensure that there will always be preservation of the species.

There are people who truly enjoy just admiring nature and the animals. My wife goes for walks about five miles every day through the woods by our house, primarily to admire the animals. My wife unceasingly does a five-mile walk. I tell people that on average my wife and I walk two and a half miles each day, and that's true: she does the five miles and I do the zero. She tells me what she saw on the trip and what she brings back to me each day as she looks at the wildlife I find extremely interesting. For people who want to have continued access to that, we have to ensure that we protect their rights.

For people who are photographers, that is a very avid hunting group of people who hunt with cameras, as they describe themselves. We need to ensure that their rights are protected.

We need to ensure that the rights of our natives regarding hunting and fishing are protected. They have constitutional rights to ensure that.

I can appreciate the challenge and the difficulty of melding together all these different interest groups, but I believe it is our responsibility as legislators to do that.

So we have one group that is specifically identified as having rights under the Constitution. However, the interesting thing is that if we look back to 1982—which doesn't seem all that long ago, but it is 20 years now—Lord Denning, in reviewing the Canadian Constitution, said that the rights of our native Canadians are ill-defined; that was the expression he used. So they have rights that they want to discuss. I'm sorry to say that in

my consultation with our First Nations people, their answer to me when I asked how the consultation is taking place is that it's not. There is absolutely nothing going on now.

In my community we had the issue of walleye fishing in the Bay of Quinte and the question of how to sustain it. The government, to their credit, appointed Judge Stephen Hunter to meet with the band, the Mohawks of the Bay of Quinte, and the Ministry of Natural Resources to try to find common ground to ensure that their rights are respected while the preservation of the fish is taking place. I am sorry to say that partway through the process the Ministry of Natural Resources walked away from the table. The judge stayed and the band stayed, but the ministry personnel—and this was before the current minister's time, so this may be an ideal time for this to get back on track. So when the bands say to me, "We're not being consulted," I have to reflect back on the instance when they actually made a move to consult and then walked away and abandoned the process.

I believe we need to respect the need to talk to the parties. This government doesn't have a great track record on doing that. For a government that boasts that their strong point is consultation, I will challenge that, that it has not been.

If you'll bear with me and let me get a little bit off topic, I can think of a similar issue. In my riding, for the Mohawks of the Bay of Quinte, the Tyendinaga, the provincial government chose to download what was a provincial highway system. Passing through the reserve was what was Highway 2. Highway 2 existed on the territory because of an agreement between the band, the federal government and the provincial government that the road would go through and it would be maintained by the province of Ontario, with an absolute commitment that it would never be downloaded to the band. The band recognized that they do not have the financial resources to look after a road that quite frankly serves the majority of Ontario and is not a local road. It seems if it doesn't have the number 400 in it, it's not a provincial highway any more, and I think that's a sad situation.

But Highway 2 was downloaded against the agreement with the band and with no consultation with the band. The band and the county of Hastings are now trying desperately to get the minister to come to the table. We've sent a letter to the Minister of Transportation indicating that there needs to be a resolution to this, because this highway is still a provincial highway, except the local ratepayers are being stuck with it.

So not an enviable track record on consultation. So should we be concerned that this will be any different and this will be improved? No. We still need to be concerned about that. I'm not convinced we'll have all parties at the table.

I am a strong believer that any bill that is a good bill will stand the scrutiny of public study. I think, quite frankly, we've spent enough time on this bill. I don't see a great deal of purpose in continuing the debate. I have indications that all three parties are going to support it

but some indication that people want some amendments to it. Well, the place for amendments is at committee, so this bill should go to committee and this bill should provide for some public consultation.

**Mr Kormos:** Rick wants it passed without debate.

**Mr Parsons:** You're trying to distract me. I won't fall for that.

There is no point in further debate in this House. I really don't think there is. I am quite surprised to see three evenings set aside for it—three evenings.

**Ms Caroline Di Cocco (Sarnia-Lambton):** Well, they don't have any other legislation.

**Mr Parsons:** Oh, they don't have any other legislation to do the three evenings? That's probably it. In fact, I'm trying to review the new bills that have been—

**Hon Mr Baird:** Call our bluff and we'll show you.

**Ms Di Cocco:** I think you struck a chord.

**Mr Parsons:** I didn't mean to get you excited.

**Hon Mr Baird:** On a point of order, Mr Speaker: I'd like to ask for unanimous consent to vote on second and third reading of this bill right now.

**The Deputy Speaker:** Do we have unanimous consent? No.

**Hon Mr Baird:** I tried.

**The Deputy Speaker:** And that will be the last of that for a little while, correct? The member may continue.

**Mr Parsons:** This actually was a repetition of the last day before Christmas. I believe it was the Liberals who at that time asked for unanimous consent and I believe it was the NDP who—

*Interjection.*

**Mr Parsons:** I'm perplexed by that, that you can be supportive of the bill but you don't want to vote on it. Nevertheless, this is—

**Mr Kormos:** That's not how it works here.

**Mr Parsons:** It's not how it works here. Common sense isn't very common in this chamber sometimes.

You've got me all mixed up and discombobulated. I had a whole bunch of stories about my children and fishing to tell. Now you've thrown me off and it's past their bedtime so they won't be up to see the stories. We have a four- and a five-year-old, and sometimes this is the only time they see me during the day.

**Mr Bisson:** A four- and a five-year-old? Well, I've got a 25-year-old.

**Mr Parsons:** I've got a 27-year-old, so I beat you there.

We're off topic, aren't we?

**The Deputy Speaker:** No kidding.

**Mr Parsons:** How many children do you have, Speaker?

**The Deputy Speaker:** One.

**Mr Parsons:** So you couldn't debate this bill, because one child would not generate enough stories to fill the hour.

*Interjection.*

**Mr Parsons:** Well, it's a long story, but they don't let me on any planning committees any longer.



This bill does need to go to committee. I believe every bill going through this House should go and have some public examination. Had this bill been passed at Christmas, had there not been a block by the New Democratic Party, it would have been at committee and we would have had public consultation. People could have come and genuinely given input into it rather than watch the debate. Nevertheless, whether it goes to committee or not is not our choice on this side of the House. It's a decision to be made on that side on whether they want it to go through. Yes, the Liberals support it, but yes, we'd like to see some people look at it.

We'd also like to see the Ministry of Natural Resources do far more than they are doing. As a professional engineer, I have an understanding of what progress and civilization involves. It involves building roads and it involves building buildings and houses and subdivisions, all of which meet our needs for our population growth. But I also profoundly understand the impact that has on the habitats of fish and animals.

2020

The Ministry of Natural Resources, with its budget cuts, has significant problems now protecting our assets and resources, without getting into dealing with the future. If we look at the history of the Ministry of Natural Resources since 1995, we have seen cuts of nearly 50% take place in their staff and budgets.

If we truly want to protect the fish stock, it would be nice to have some conservation officers out on the water. In fact, I think that's one of the issues with the walleye fishing, not from the viewpoint of people breaking the law but from the viewpoint of trying to estimate the fish stock. One of the best techniques is to do it on a creel count. Fish have got to be a hard thing to count. We have cows out in the field and when they get into the bush, we have trouble determining if all of them are there or not. With fish moving underwater, that's got to be a challenge. So what is one of the easy ways to do it? Determine how many are caught and relate that to the catches in other years.

When you don't have conservation officers to do the creel counts, you lose control of the fish stock numbers and you're not able to manage the numbers if you don't know you're in crisis. So we tend to manage by crisis, because we don't have the people and the resources to determine that the problems are coming.

With the MNR cuts, the 1998 Provincial Auditor's report—and we haven't seen more money going into natural resources since that time. "Over 70% of the conservation officers ... indicated that their assigned areas were not being effectively patrolled."

The next statement should really shock people who believe that MNR is looking after our resources: they also run out of funding for their operations by November and do not carry out enforcement activity until April. That's a Third World country, where you run out of your budget and say, "We don't know what's going to happen over the winter months." They stop enforcing in November and start again in April. How long does it take to get

around the community that there are no conservation officers out there?

**Mr Levac:** Three days.

**Mr Parsons:** I think you exaggerate. Three hours. It goes through very quickly when you see these cars parked in the Ministry of Natural Resources yard over the winter months. Conservation is a 12-month deal, not over the summer months only. That's disgraceful.

They also don't know whose hunting licence is under suspension. That's pretty damning. That's not from the Liberal Party, even though if we did it, it would be right; this is from the Provincial Auditor.

"Inaccurate or out-of-date data on moose, deer, bear and fish populations." Well, our experience with the walleye in the Bay of Quinte is, yes, there are out-of-date numbers on the fish populations. It requires a great deal of resources to determine the numbers and they're not there.

"Districts making decisions on the allocation of moose and bear tags without proper information or using varying formulas."

"Funds spent on fish stocking are wasted because MNR support staff cuts lead to extremely low survival rate for young fish."

People pay for their outdoor licence, people pay for their fishing licence. That money is supposed to go into stocking, and we're seeing two things happen: one is, the money that is being paid for the licences is not all going back into hunting or fishing, which it should. Because they don't know what's going on, in many cases they're not stocking, they are actually feeding the larger fish. That's all it is. So we're hearing stories and experiences from commercial fisherman who say probably there is a 5% survival rate on the stocking because it wasn't done properly.

**Mr Levac:** McNuggets.

**Mr Parsons:** Yes, it's fish McNuggets or whatever, a complete waste of money, though I'm sure the bass and so forth are delighted at the walleye fingerlings going in there, but that's certainly not what's intended.

We've got a population in Ontario that's increasing, yet the number of charges laid by conservation officers is down 12% overall. Are people suddenly better in Ontario and not breaking the law? I doubt it. I think it's pretty certain to say we're laying fewer charges because we've got fewer conservation officers. In northwest Ontario there is a decline of 24% in charges laid by conservation officers, because there aren't enough conservation officers to do it.

It's a sad state for a ministry that professes to be interested in hunting and fishing when they're not managing. It is very easy to mess up. If in fact we were to deplete the walleye fishery in the Bay of Quinte, it would be an appalling number of years before it could be restored—terribly adverse effect on the economy in my community, an adverse effect on people's quality of life. We can do better. The Ministry of Natural Resources can do far better at the managing of it, given the right funding.

I know it is easy to focus on issues such as electricity, which is extremely vital to this province, but I do have to

say if people are going to be paying the increased electricity rates that they will under this government's proposal, they will have less money to devote to taxes or for recreation or for fishing. You'll either pay your electricity bill or you'll go hunting or fishing for the weekend. The electricity costs will change that.

Health is important, education is important, but to the members here, we need to remember that the Ministry of Natural Resources in their budget actually reflects the quality of life that we and our children and our grandchildren will have in Ontario.

So I come back to, instead of being in the survival mode, the ministry should be funded not just to administer the laws now but to get into a broader range to ensure that the habitat is protected. If we didn't hunt but we removed the natural habitat for bear or moose or whatever, we're going to lose them and that will have the same effect as hunting. They have to be managed. There are so many people in Ontario that we have to recognize the need to manage the industry and to ensure protection and survival. If it is mismanaged and we lose an area, the people who traditionally—I know in my community there are people who have come every year for generations for the opening season to fish for walleye. They have come from parts of the US, they have come from other parts of Canada. But we're talking often of a father, a son and maybe even the grandfather who have always come and it's part of their heritage. If we lost or mismanaged that stock and those people stopped coming to fish in Ontario or they stopped coming to hunt, they will find other places to go and never return. If through mismanagement we end up putting a moratorium on something for three years, we in effect have lost that commercial base in that community because they will surely have found another place to go and do it. So we need to manage that. We need to ensure what effect the growth of civilization is having on it.

We need to consult an awful lot more. This is my bugaboo on it. This ministry has functioned under the theory that they own the fish and they own the animals and they know what's right. I have referred a number of times to the walleye fishing in the Bay of Quinte, and I will continue to, because the ministry decided there was a problem. They didn't want to tell anybody; they decided there was a problem. They called a public meeting with two restrictions: it was secret and it was by invitation only. But that was their public meeting. So they invited about 20 people to it. Others found out and went, and there was evidently some controversy over letting them in. But their intention at this closed meeting was to tell these 20 people that the walleye fishing was going to have a moratorium put on in January. I have trouble believing that that really is a full public meeting, but that's the way the MNR approached it and then they were absolutely shocked when it got public.

In 1995 the anglers spent \$24.5 million in my community, coming in, but MNR was quite surprised that that \$24.5 million meant something to my community. So the charter operators, the commercial fishermen, the people

who run bed-and-breakfasts and the resorts were aghast at the ministry's intention to simply shut it down on January 1. So the ministry said, "OK, you've got us now. We will call a public meeting."

**2030**

I don't know if any of you have a map of Ontario. In fact, I think since the province downloaded all the highways there is no map of Ontario that's valid any more. They show provincial highways that don't exist any more, and some of the highways have had their numbers change. If you could look at an old map when Ontario really had a highway system and really had a Ministry of Transportation—

**Mr Garfield Dunlop (Simcoe North):** We'll send you one.

**Mr Parsons:** I really don't want you to look at a map because you'll download a few more highways before you send it over. So just leave it alone.

The ministry said, "We'll hold a public consultation meeting where anyone can come as long as they're invited." But they expanded the numbers and invited more. If you look at the map, they decided to hold it in Dorset. The Bay of Quinte is about three hours' drive from Dorset, but the rationale was pretty solid. They said, "We've got to send a ministry person from Dorset down to the Bay of Quinte. Actually, it would be easier if the 80 people from the Bay of Quinte drove up to Dorset." Bless the media. They pointed out that the Ministry of Natural Resources was doing something that wasn't common sense and so the ministry eventually held—this is amazing—three public meetings about the Bay of Quinte on the Bay of Quinte. I compliment—by the third time they got it right. But there was an attitude there that concerns me with this ministry.

The ministry decided at one stage to move duck hunting into the Muscote Bay area in my riding. How they decided that Muscote Bay would like to have duck hunting there was they put together a group of people who were all 100 to 115 kilometres away from it and asked them whether they would like duck hunting at Muscote Bay. There was no one local on the advisory group. People who lived 150 kilometres away said sure, that would be a great idea. The ministry reluctantly held a public meeting and found out that the people who actually live on Muscote Bay weren't as keen to have them come in and build a special kind of duck blind, because they had a sense that what people who hunt ducks in Ontario really wanted was a duck blind they could drive their car right up to. Certainly my community supports duck hunting, but they do not support the process of, "Here's what's going to happen."

In my riding, we have an old railway line. It used to be CNR. The Ministry of Natural Resources ultimately ended up with responsibility for it. They passed it on to Eastern Trails. Then one day they announced out of the blue that farmers would no longer be allowed to take their vehicles on this right-of-way even though they'd been assured of it. So once again we had to force some public meetings on it where the Ministry of Natural



Resources has said, "Well, maybe there is room for compromise. Maybe we'll have a look at the stability of the bridges."

So what I'm saying, ladies and gentlemen, is that this ministry has not to this stage shown any willingness to consult publicly; I urge them to on this bill. Any good bill will always stand the scrutiny of it.

I also urge this ministry to be involved in such things as dump expansions. Surely to goodness, creating these massive dump sites—the member for Sarnia-Lambton, who will be speaking after me, has a substantial issue with toxic waste disposal. I think the things coming up smokestacks and going down into groundwater have a profound effect on our fish and on our wildlife, because they invariably end up in the water system somewhere. With this huge dump expansion plan in greater Napanee at the Richmond dump site, surely to goodness the Ministry of Natural Resources should be interested in what happens on this megadump site when this water leaches into the Bay of Quinte. We've got an interest in environment from the viewpoint of humans and the effect they'll—the Ministry of Environment seems to be somewhat supportive of burying this stuff underground so that if we don't see it we don't know about it for a while. But I would think there's also a role for the Ministry of Natural Resources in this to protect the effect on the habitats there.

I also look at this government's commitment to wildlife. The OPSEU strike was an incredibly long one—an incredibly long one. It appears there was a winner in that—the government, with the number of dollars they saved during the strike. But there were issues such as students who were locked out for nearly eight weeks from provincial schools. These are our most disadvantaged students, from the viewpoint of being deaf, blind or learning-disabled. I'm going to say it to the members across: when there were days of protest and students were out of school for two weeks, your government reimbursed the parents for the extra child care costs incurred during the two weeks. But when the students who were deaf and blind were out of school for eight weeks, you offered not one penny. You just can't get a babysitter from next door for these young people. It is extremely difficult to find the resources during the day for a student who is deaf or blind. This government did absolutely nothing for the deaf and blind and learning-disabled students of our province during the strike. Shame on you. There was not even an inclination that you would in some way financially assist them. You took the \$7.5 million every day from the people who have important roles in this province and you kept it.

For all of your interest in the environment, in the Ministry of Natural Resources, conservation officers were off work. There was no impetus or motivation at all on your part until—coincidence? I think not—there was a by-election. To me, it continues to be an amazing coincidence that you settled with your employees the morning of the by-election. Up until then, the people who play extremely important roles in this province were left out.

It was the people of the province who suffered because of your ideology.

**Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation):** On a point of order, Mr Speaker: I was under the distinct impression that there should be some relevance in what the member is discussing to the bill that we're debating. I see absolutely nothing at the moment. This is just absolute twaddle.

**The Deputy Speaker:** Thank you for your opinion.

**Mr Kormos:** Is that parliamentary talk? What exactly does "twaddle" mean?

**The Deputy Speaker:** Order, please. I think you'll appreciate that the opposition benches felt there was a little too much latitude that I allowed when the minister was making his opening remarks. So perhaps a little latitude on all sides will let us get through the debate. Please continue.

**Mr Parsons:** I'll try to get to a story about one of my children before I close; it's the best I can do. We have wonderful children, but I don't have any great fishing stories with them.

This government's lack of commitment to settling the strike was in fact a lack of commitment to health, to education and to natural resources. It was a lack of commitment to hunting and fishing.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** It takes two to tango, you know.

**Mr Parsons:** It is beneath the minister to heckle me. I'm only a backbencher. You really need to pick on those in the front. It was beneath this government to have done that to the Ministry of Natural Resources, which protects. If you truly are committed, if this bill truly is to protect the hunting and fishing, to ensure survival of the species and to protect the rights of individuals who want to hunt and fish, that strike could have been settled weeks and weeks earlier. I think it is disgraceful the way it was protracted.

In conclusion, I would like to reaffirm that this bill will be supported by us. It is unfortunate that unanimous consent was not granted back before Christmas. We would have been beyond second reading. There has been nothing served by it sitting on the order paper from December till now. I continue to be perplexed that individuals who are going to support the bill voted against unanimous consent. We will be supporting it but I do not see a point in going on three more nights on this bill.

I will now turn the floor over to the member for Sarnia.

**Ms Di Cocco:** The reason I wanted to add my voice to this bill is because it really is, and I'll give the name of the bill, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission. When I went over the bill and looked at it, I saw that it really was just to state the obvious, such as it's a way of life in parts of Ontario. Basically that's what it reaffirms and it's done so in

legislation. It is also important to note that there is going to be an advisory commission that is going to be enacted.

It took me about five minutes to read the whole bill. I'll say again what the act's explanatory note says:

"The bill recognizes that recreational hunting and fishing have played important roles in shaping Ontario's social, cultural and economic heritage and that recreational hunters and anglers have made important contributions to the understanding, conservation, restoration and management of Ontario's fish and wildlife resources.

"The bill would affirm the right to hunt and fish in accordance with the law.

"The bill would establish the Fish and Wildlife Heritage Commission. The commission's functions would include making recommendations to the Minister of Natural Resources on a number of matters specified in the bill."

2040

In my view, it would be similar to suggesting that ways of life such as farming are part of the heritage of Ontario, or it would suggest to me things such as what mining used to be as a part of the heritage of Ontario. Basically that's what the bill suggests.

When you hear the words "hunting and fishing," there seems to be a polarization sometimes of views immediately. It becomes an emotional reaction immediate to those words rather than taking a look at what the intent and what the direction of the bill is. If I felt that this bill would somehow be disrespectful of our conservation and, if you want to call it, our respect for our natural resources, I certainly would not be standing here in support of the bill. I support the bill because it is stating the obvious and it is time that we do so.

One of the things I think is important is that what could be reinforced—I mean, humans have been hunters and gatherers since they walked upright. That's been part and parcel of humankind. But what's important is that when we talk about what the role of government is, such as the Ministry of Natural Resources—we talk about the responsibilities of the hunters and anglers, and their responsibilities are to obey the law, but there are a lot of licences and a lot of the money from those licences—and this is something I think that's really important—should go back into the coffers of the Ministry of Natural Resources for conservation purposes. That's where the flaw is because we tend to—well, the fishers and the hunters know how much it costs to pay for their licences. If we could get that money back into conservation, into the Ministry of Natural Resources, then we wouldn't have a ministry that is so strapped to have the enforcement out there to ensure that the laws are being adhered to.

It's important to understand—what I'm trying to say is I don't hunt, I don't fish, but I grew up in a family where my father was a hunter. He had an incredible respect for nature and he also loved to fish. My dad is now 81 years old and he used to love to fish. He can't any more because he's not able to, but I learned from him this respect for nature, this respect for the wild. I have to say that I

have also come to understand that a number of the people I know who are hunters and fishers are people I have a great deal of respect for as individuals. They are pillars of our communities as well, and I'm very much impressed by the conservation consciousness they have when it comes to nature. It's important to realize that the words in and of themselves at times, as I said, create this emotional reaction that sometimes I believe is unfounded. I think we have to have a balanced approach to these issues, and I think they're important. Let's remember, angling and hunting is a part of the cultural heritage of Ontario. It is part and parcel of what goes on. Sometimes I think that it's more of an urban-rural cultural divide. You have people who sometimes in large urban centres equate arms, if you want, with violence, rather than equating them with the recreational aspect or with the need that the farming community has to have arms to deal with their rural existence and for their survival.

There are some facts that I'd like to bring to this discussion, and that is that 1.8 million Ontarians—that's the number I have—and about 600,000 tourists take part in hunting and angling each year in Ontario. That is a significant number of people. They do so, for the most part, and I believe this, responsibly, and they do so abiding with the laws of the land, and this legislation certainly does not override any of the current legislation. It certainly doesn't override any of the laws of the land.

Recreational hunting and fishing contributes \$3.5 billion to the provincial economy each year. That's significant, and obviously it is more than a way of life. It is part and parcel of an activity that is a huge part of our economic reality that exists here in Ontario and it supports more than 30,000 jobs. One of the things that is important is that we have to take a look at how the resources acquired from our licensing are actually used in conservation in the Ministry of Natural Resources. That sometimes disturbs me when I see that you have the hunters and anglers paying into this kitty, if you want to call it that, and yet a lot of that goes into general revenue rather than being put back into our natural environment.

I'm going to reiterate something that my colleague certainly talked about. We talked about the 1998 Provincial Auditor's report. I think it's important that those people who actually contribute to the hunting and fishing of this province and to that resource by their recreational activity understand what is happening in regard to how this resource is being managed. I think that's what's important. And 70% of the conservation officers believed that their assignment areas were not properly patrolled. It's important that we have the staff to be able to patrol these conservation areas. They also run out of funding, and again my colleague talked about that, which is unfortunate because the money certainly is paid by the users.

There's also the fact that many times—I'm going to say this—funds spent on fish stocking are wasted because MNR support staff cuts lead to extremely low survival rates for young fish. I come from Sarnia-Lambton, so we have Lake Huron, we have the St Clair



river, and my district also has a huge area that's rural. We have a salmon hatchery in Point Edward, but it is totally locally funded. The Ministry of Natural Resources does not give them any grants; they do it themselves. The anglers in my area consistently develop this salmon hatchery. It was in danger of closing this year because they couldn't financially support it any more. It was becoming too onerous every year to raise money that they could put into this salmon hatchery, which is a shame. Here you have this ability near Lake Huron and the St Clair River to stock some of the salmon, and we are going to be losing it, it looks like, because we cannot get some funding from the Ministry of Natural Resources. Considering the fact that all the licence monies go into the Ministry of Natural Resources, it's a shame, because I believe that the fishers and hunters who pay for these licences would expect that the money be returned into these kinds of initiatives. Unfortunately it's mismanagement, in my view, that these funds are not returned to where they should be directed.

**2050**

Again, if you read the entire Bill 135, it takes less than five minutes. It's very clear; it really is clear. I believe that this is a place where we do debate the bills, but we debate the bills if they're controversial; we debate the bills if we take a look at them and say, "You know what? We have a whole different opinion here, so we have to have a chance to be able to discuss the various opinions." In this case, this bill is very straightforward, it's very simple, and yet needed. It's stating the obvious. It's important that we as a Legislature, yes, give it some debate, but I believe that in spending three days to talk about it, as my colleague from Prince Edward-Hastings has stated, we are going to be talking about our children instead of the bill, because after a while there's very little to talk about. I feel that it is a waste of Legislature time. I believe that we have some important issues, of significance to the people of this province, that this Legislature should be discussing. I believe this is a significant, if you want to call it, stating of the obvious, but at the same time we don't want to spend three evenings of legislative time in debating this. It's unnecessary. We should have our say about the bill, and those who have amendments to it, who believe there should be some amendments put forward, should say so at this point in time, bring them forward to committee and let's get on with it.

We talked about time allocation today. I certainly get upset about the fact that sometimes debate is curbed. But then there are times when there are bills that are pretty straightforward, such as this one, without real controversy. I know there are some concerns, but I think concerns sometimes stem from maybe not actually having read the detail of the bill. I looked at it very carefully because I very much have a great respect for conservation. I have a great respect for nature, at the same time recognizing that as part of Ontario's heritage we support this bill. Again, basically all this bill does is to recognize that. It verbalizes it. It does not actually

provide any kind of legislative authority that is any different from what's already in place in our laws at this point in time.

It says here, for instance, in section 1, "A person has a right to hunt and fish in accordance with the law." That's the case today. They have a right to hunt and fish in accordance with the law. No one has a right to hunt and fish not in accordance with the law. Subsection 1(2) suggests, "The reference to the law ... includes the Fish and Wildlife Conservation Act, 1997, the Fisheries Act (Canada), the Migratory Birds Convention Act, 1994 (Canada) and the regulations made under those acts." So those acts are there; they're not overridden by this. All this states is that you can hunt in accordance with the law because it is considered a part of Ontario's heritage. That basically is what this states, just the same way we would use our mining as part of Ontario's heritage. There are many other things. It's a way of life; it's part and parcel of it. We may or may not like it, we may or may not agree with it, but it is a part of Ontario's heritage, just like diversity in Ontario is part of who we are as a people. You may or may not like that, but it's a reality that we live in like mining is or railroads were, and I can go on and on.

I will finish my debate in saying that I understand what this bill's intent is and I don't have any problem with it. I looked at it very carefully. I did also read a number of e-mails I received that had concerns. I'll certainly write to the people who had concerns about this bill, because I believe they may not have read it, and I will send them a copy of the bill as well because, in my view, it is very straightforward and it doesn't have conflicts in there for me.

I still have some time but I won't finish it up. I do hope that we'll have fairly speedy passage of the bill.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Mr Bisson:** That was an interesting hour of debate that I heard from the Liberal caucus. What they're saying on the one hand is that they're in favour of the bill, that there should be no debate on this bill; on the one hand, that it doesn't do anything to environmentalists and on the other hand that it doesn't do anything for hunters. I'm not exactly sure where you guys are coming from but I can tell you one thing really straight, and I'm going to get the opportunity to debate this more fully in about five minutes. The very reason we did not accept your proposition when you cozied up with the Tories last time before Christmas, asking for unanimous consent—and now the Tories' trying to cozy up with the Liberals, saying, "Let's have unanimous consent"—I'm going to get into later, because there are some difficulties with this bill and I think there are things we need to be able to debate at the Legislature.

First of all, this bill doesn't do what it was set out to do. It doesn't give anglers and hunters anything other than what they've got now. If you look at the bill—the member pointed it out herself—it says, "A person has a right to hunt and fish in accordance with the law." Tell

me how that enshrines your right to hunt and fish. Why would you, at the Ontario Federation of Anglers and Hunters and others, get caught up in this game? That's part of what really upsets me with this particular bill. Does the minister give you any rights in addition to what you have now? Does the minister come to you and say that the next time they're going to shut down a road up in Foleyet or Gogama and bar you from hunting and fishing because a forest company has come in and decided they're going to make some changes to the roads there and take away the access, or they bring in Lands for Life, or they cancel the spring bear hunt, or they do anything, somehow or other your rights are protected? I see absolutely no protection in this law when it comes to the rights of anglers and hunters across this province. I'm going to get an opportunity to debate this. I say if the government were halfway serious about giving anglers and hunters some rights, they wouldn't have a one-page bill that basically says, "You have the right to hunt and fish provided you follow the existing laws," because that's all this bill does. We'll talk a little more about that when we get the opportunity.

**The Deputy Speaker:** Just before I recognize the member for Simcoe North, I know you're going to speak in a few moments and I want to ask you to remember, even though we have guests here and your comments are to them, that you will make them through the Chair. They don't have the opportunity to respond, so let's keep it within the confines of this place.

**Mr Dunlop:** I'm pleased to join in the debate with a comment here this evening. First of all I'd like to congratulate former Premier Mike Harris for bringing forth this legislation. I know he would like to have seen the legislation passed before he left this House, but when Premier Eves appointed my friend and colleague Jerry Ouellette as Minister of Natural Resources, I don't know if he could have picked a better person for the job.

We heard Jerry's comments earlier this evening about his love of his family and his love of hunting and angling. I think it was important that we as politicians recognize the value of people like Mr Ouellette and that he has a real background in hunting and fishing and likes to promote that.

2100

I just want to say something very briefly. I had an opportunity on the weekend to attend the official opening of a new sports centre—I guess we could call it a club centre—for the North Simcoe Anglers and Hunters Conservation Club. You will notice they call it "Conservation Club." I was so pleased, because this group of volunteers, many of them in the construction trades up in Tiny township near Perkinsfield, near Midland, built this beautiful new facility. I'm assuming it's about 3,000 square feet in total—all volunteer help. They've done a wonderful job of it. They'll use it as a clubhouse, a dancehall and a banquet hall. They built it on about 50 acres up in the woods in Tiny township. I wanted to compliment them on that, because I think they stand for what the angling and hunting and conservation clubs are

really all about here in Ontario. I appreciate seeing these gentlemen here this evening to listen to this debate. I want to take this opportunity to thank you, Mr Speaker, for allowing me to say these words, and I hope we can see speedy passage of this phenomenal bill as well.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** First of all, I would like to commend my colleagues, the members for Prince Edward-Hastings and for Sarnia-Lambton, because I think they have done an excellent job of outlining the position of the Ontario Liberal Party with respect to this piece of legislation, which Ontario Liberals hoped would have passed last December. Certainly that was our understanding.

For the member from Timmins-James Bay, the Ontario Federation of Anglers and Hunters were certainly very surprised and disappointed with the partisan politics that happened last December. In their media release they indicated that the NDP actually promised to join the other political parties and support Bill 135. That was their promise, an NDP promise, that they would support the Heritage Hunting and Fishing Act. But when Timiskaming-Cochrane Liberal David Ramsay asked for unanimous support, the promises and the passage of the legislation were blocked by the NDP. So you have the NDP saying and promising one thing, but when it comes right down to it, when it comes down to supporting anglers and hunters in Ontario, they pulled away, they blocked it, they didn't do it.

The Federation of Anglers and Hunters say—these are their words; I'm quoting from their media release of December 14—"Failure to approve the bill because of petty politics on the part of the NDP is unconscionable." It certainly is the perspective on our side of the House that this is a piece of legislation that should be passed.

I'd just like to conclude my remarks by saying that in my riding the right to hunt and fish is sacrosanct: it's business, it's a way of life. So I'm very happy to say that the Liberals will most definitely support the bill for the right to hunt and fish.

**Mr Kormos:** Oh, and I've only got two minutes. Here I am, giving my head a shake because I'm listening to the Liberals. The Liberals are out there telling some folks, "Oh, the bill is fluff. That's why we're going to support it," and then they're telling other folks in here, "Oh, this bill is hard, heavy-duty stuff, and that's why it's got to be passed without debate."

I say to Mr Eves, I'm not here to facilitate your agenda. You're only here until June 28. You want out of here. You want your Hydro bill. The Liberals may be prepared to crawl up on your lap, Mr Minister of Natural Resources, and help you accelerate this bill so you've got enough time left to have your Hydro bill proceed before June 28. I'm sorry, I don't want to sit on your lap with the Liberals, I don't want to be anywhere near your lap, and don't expect me there.

It's clear that the Liberals are very supportive of the Conservatives and their agenda. Last week the Liberal House leader said, "We're not co-operating with the



government. We're going to delay everything, because you won't tell us what your Hydro intentions are." Now the Liberals, like that fish we've been talking about, the one that maybe you hauled up on the dock and it's flopping and flopping and flopping—there are the Liberals, flopping and flopping. All of a sudden the Liberals want to accelerate the government's agenda, they want to get that Hydro bill passed before June 28. They don't want to slow down this government. By God, you've put high octane into their tanks. You're the tiger in the government tank. It's one thing to be in bed with the Liberals, but by God what's been going on here tonight in some jurisdictions is still illegal, and there could well be children watching.

I say to the Liberals, we understand now what's happening. You do it on your own, though. We'll block the Tories and their Hydro bill, and we'll do it alone.

**The Deputy Speaker:** There's got to be a full moon this evening.

I now turn to one of the two original speakers to take up to two minutes to respond to the questions.

**Mr Parsons:** I'd like to thank the speakers, the member for Sarnia, for Timmins-James Bay, for Simcoe North, for Hastings-Frontenac-Lennox and Addington and for Niagara Centre.

It's been said by many that the member for Niagara Centre is one of the best orators in this chamber. I'm not one that has ever said that. We're not here to play politics with the bill. This is a bill that serves a purpose. This is a bill that, if nothing else, brings to the public attention the importance of hunting and fishing in our society, removes it from the back burner and makes all citizens conscious of, whether they live in a large urban area or whether they live in northern or eastern or western

Ontario or whatever, hunting and fishing as part of our culture, part of our life and, quite frankly, part of our economy. The Liberals see no point in playing games and continuing to stretch this out.

As I will repeat, there was a commitment of a sort made at Christmas that it would pass; it did not. We do not see any benefit whatsoever in it continuing through tomorrow night and the night after. The important thing to Dalton McGuinty and the Ontario Liberals is that we maintain a sustainable fishing and hunting industry in this community and we stop wasting our time in this House debating it and playing games with it. So, Speaker, I move adjournment of the House.

**The Deputy Speaker:** The member has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2108 to 2138.*

**The Deputy Speaker:** Mr Parsons has moved adjournment of the House. All those members in favour of that motion will please rise until counted. Thank you. Please take your seats.

Those opposed to the motion, all members, will please rise until counted. Take your seats please.

**Clerk Assistant (Ms Deborah Deller):** The ayes are 8; the nays are 23.

**The Deputy Speaker:** I declare the motion lost.

It now being after 9:30 of the clock, this House stands adjourned until 1:30 pm tomorrow.

*The House adjourned at 2139.*

## CONTENTS

Monday 27 May 2002

### SECOND READINGS

#### **Heritage Hunting and Fishing Act,**

**2002, Bill 135, *Mr Ouellette***

Mr Ouellette.....	357, 367
Mr Stewart.....	363
Mr Sterling.....	365
Mr Bartolucci.....	366
Mr Kormos.....	366, 376
Mr Murdoch.....	366
Mr Levac.....	367
Mr Parsons.....	367, 377
Ms Di Cocco.....	373
Mr Bisson.....	375
Mr Dunlop.....	376
Mrs Dombrowsky.....	376
Debate deemed adjourned.....	377

## TABLE DES MATIÈRES

Lundi 27 mai 2002

### DEUXIÈME LECTURE

#### **Loi de 2002 sur la chasse et la pêche patrimoniales, projet de loi 135, *M. Ouellette***

Débat présumé ajourné.....	377
----------------------------	-----



CA20N  
X1  
-D23



No. 10A

N° 10A

ISSN 1180-2987

Legislative Assembly  
of Ontario

Third Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 28 May 2002

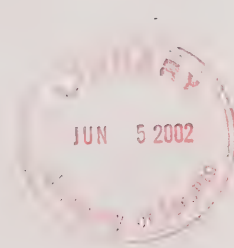
Mardi 28 mai 2002

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 28 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### NATIONAL ACCESS AWARENESS WEEK

**Mr Ernie Parsons (Prince Edward-Hastings):** I am pleased to rise today on the occasion of National Access Awareness Week. This is an opportunity for us as a Legislature to recognize the accomplishments that are made by so many people in this province who pay a far higher price than the average person does for their accomplishments. In many senses, they serve as wonderful role models and heroes for us.

However, this week is also a reminder to those of us who do not have a disability that we can do more; we can do much more to provide access. We can work to ensure that the disabled community has the same access to public transportation as everyone else in the province. We can work to ensure there are far more services, including government services, available to those individuals who are deaf and blind. We need to work for families who are living with a family member with mental illness to ensure there are more proper and adequate services and supports available for them. We need to ensure that the special education students in our province start to receive the funding they need, so that they can maximize their development and be full citizens. In short, we need to take down the barriers to ensure that we provide equal services and equal opportunities to those who require access to special services.

This government, which rushed through the Ontarians with Disabilities Act in December last year, could do the right thing and finally proclaim that bill, weak as it is, to show that we pay more than lip service, that we truly care and we recognize the needs of those who require special access.

#### OAK RIDGES MORaine

**Mr Steve Gilchrist (Scarborough East):** I am pleased today to recognize the work of the Minister of Municipal Affairs and Housing in the creation of the long-awaited Oak Ridges Moraine Foundation. I am immensely pleased to be able to stand here today and pay tribute to yet another environmental initiative launched

by our government, a government that in one day in 1999 created more parkland than any other government in the history of the world, a government that has a legacy of creating parks and preserves all across the province. The bottom line is that we have parks such as the Rouge Park, the world's largest park in an urban setting, massive green space guaranteed to provide contact with Ontario's natural heritage for hundreds of years to come.

I also want to pay tribute to the work of the volunteers that led to this great announcement: people on Save the Oak Ridges Moraine, folks on the working group that worked with the minister to develop the Oak Ridges moraine plan.

I also want to recognize the \$15 million in seed money that has already been put into the hands of this new foundation but which we believe will trigger literally hundreds of millions of public and private dollars to guarantee that the moraine is protected from one end to the other as the largest green space, the largest protected area, ever created in the province of Ontario and certainly the largest one anywhere near the greater Toronto area.

#### LONG-TERM CARE

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** Two weeks ago I had the opportunity to meet in my office with 40 administrators, staff and families from the long-term-care facilities in my riding. Later the same day I was fortunate to be able to visit the GlenStorDun Lodge, a long-term-care facility in my riding, and also Winchester District Memorial Hospital, with Ruth Pollock.

Throughout the day I had the opportunity to speak with nurses, administrators and residents about long-term care. Many in my riding are extremely concerned about the critical lack of funding for the programs and services in Ontario's long-term-care facilities as well as the number of patients who are forced to wait in hospitals until a nursing home becomes available.

Often, before seniors enter long-term-care facilities they are forced to wait in hospitals, long after they could be released, for a nursing home bed to become available. Not only does this end up costing the government more money in the long run, but also, who wants to be in hospital when it's not necessary?

In 1998, the government promised 20,000 additional beds. Only 3,700 have become available.

I want to mention that Pamela Nisbet, an administrator at Woodland Villa, currently says that nursing staff have

only four minutes to assist residents to get up, washed, dressed and into the dining room, 10 minutes to assist residents with eating, 15 minutes of programming per day and one bath per week. The government needs to address this issue immediately.

### GREY COUNTY ANNIVERSARY CELEBRATIONS

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I rise in the House today to invite everyone to an upcoming event in my riding of Bruce-Grey-Owen Sound. On the weekend of June 14, Grey county will be celebrating its 150th anniversary. This is truly a historical occasion. I would encourage everyone to come out, join in the celebrations and experience the hospitality of a jam-packed weekend planned full of activities for everyone.

**Mr Ted Chudleigh (Halton):** Can you go fishing?

**Mr Murdoch:** Yes, you can go fishing too.

The weekend will begin on Friday, June 14, at Owen Sound's Victoria Park, with opening ceremonies at 9 pm. There will be various dignitaries present, along with a mass pipe and drum band of approximately 40 to 45 people from the Grey county area. Also planned is an entire weekend of entertainment featuring country and Celtic music as well as modern and old-time square dancing, all produced by the Bognor Jam Production and Promotion Co.

A couple of highlights of the weekend will include the unveiling of a new Grey county flag, the kickoff for the 2004 International Plowing Match and the cutting of one of the largest birthday cakes in the world.

Also, when you're in the area, take time to enjoy the surrounding scenery and activities. Local museums, libraries, music festivals and studio tours showcase the many faces of local culture and the talents of various artists.

**Ms Marilyn Churley (Toronto-Danforth):** What about Walkerton?

**Mr Murdoch:** I am very proud to be part of this occasion and offer Grey county my personal best wishes on this special occasion. Thank you. And to Ms Churley, Walkerton is in Bruce county and not in Grey county.

### CARDIAC CARE

**Mr John Gerretsen (Kingston and the Islands):** It's high time that the more than 17 cardiac rehab centres which were set up by the Minister of Health a year and a half ago as pilot projects are given sufficient permanent funding so that the patients and their families who benefit from this program can continue to count on this most important cardiac service.

At cardiac rehab centres, teams of health care professionals, including nurses, physiotherapists, dietitians, social workers, exercise physiologists, psychologists and consulting cardiologists, work together to improve the health of a cardiac patient by providing tips on diet and

exercise and monitoring a patient's recovery while they are exercising.

Minister, you have two reports on the pilot projects, as well as economic studies done in the US and Finland, that confirm that cardiac rehab programs benefit the patients and their families. Following treatment, patients require fewer trips to the hospital, less medication and experience fewer subsequent heart attacks and reduced risk of diabetes.

From a purely economic viewpoint, the cost for a cardiac patient is less than two days of treatment for a person in an ICU. As Daniel Soberman, who has written to you on two occasions about the tremendous benefits of the program at Hotel Dieu Hospital in Kingston following his heart attack—letters, I might add, to which you've never responded—states, "They're going to let the money run out. What sense does that make?" At the Kingston centre alone, more than 120 cardiac patients have been treated over the last seven years.

We demand action today. Minister, fund the program and give them sufficient funding to operate on.

1340

### LONG-TERM CARE

**Mr David Christopherson (Hamilton West):** I rise again in my place with more cards to the government, more outrage from our seniors' community. In particular, these cards are from the long-term-care facility in Shalom Village in Queens Garden Retirement Home in my community. This is the buildup that eventually is going to lead to the point where you recognize your responsibility to seniors in long-term-care facilities.

Yesterday Ethel Meade, a member of the Ontario Health Coalition, said, "It's a scandal to me. The conditions in our nursing homes, that's the real scandal." She pointed out that this government in 1997 cut the hours of nursing care, which were at 2.25 hours per patient—you cut back. You cut back on the services to seniors in our nursing homes, and then you also felt it was OK to eliminate the regulation that said there had to be a registered nurse on-site. This is supposed to be a government that cares about the people of Ontario?

Further to that, you've got CARP, Canada's Association for the Fifty-Plus, 400,000 members, and what do they have to say about your latest policy change in terms of admission? "The draconian nature of the policy is a great worry to us and to the seniors who are affected and to their families." Again, you've got millions of dollars for tax cuts for corporations and not enough money for our seniors, the most vulnerable here in Ontario.

### GREAT CANADIAN TOWN BAND FESTIVAL

**Mr John O'Toole (Durham):** I rise in the House today to mention an important musical and social event in my riding of Durham next month. I'm referring, of



course, to the Great Canadian Town Band Festival in Orono on June 14, 15 and 16. Write it down.

This festival pays tribute to a 200-year-old Canadian musical tradition. Town bands originated, as you might know, in the 1790s, when British military bands stationed in Upper Canada and Lower Canada played in parades and other special community events.

I'm pleased to report that the Orono community is continuing the tradition with this outstanding festival of band music. The weekend includes a military tattoo Friday night—a must-attend event—a parade and concert Saturday, a big-band showcase on Saturday night, and a salute to local bands on Sunday. There will be performances by the Juno Award-winning Spitfire Band, the Drums of the Fort Henry Guard, True North Brass, and an all-trombone ensemble called Slide Rule. These are just a few of the 24 bands that will be performing. Also appearing is acclaimed trombone virtuoso Alain Trudel. He will perform and also lead a master class later.

Events of this magnitude do not happen without the dedication of corporate sponsors and scores of volunteers. I could possibly name a few of them. I'd like to pay tribute to the 2002 committee. They include Dave Climenhage, chairman, along with Colin Rowe, Marg Zwart, Judy Climenhage, Barrie Hodges, Janet Cringle, Brian Dalloway, Mary-Sue O'Connor, Brigitte Brown, Gail Empey and Jeanne Burnside.

The Ontario Trillium Foundation contributed \$70,000 toward making this a very worthwhile event on June 14, 15 and 16. We'll see you there.

#### SERVICES DE SANTÉ POUR ENFANTS

##### **M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):**

Je veux exprimer ma déception de l'annonce de vendredi dernier. L'est ontarien est en choc aujourd'hui, oui, en choc, à cause du traitement que le gouvernement conservateur réserve à nos enfants. La réduction des services de cardiologie à l'Hôpital pour enfants de l'est de l'Ontario est inacceptable. Pendant plusieurs années nous avons dû lutter durement pour obtenir des services en français à cet hôpital. Le gouvernement conservateur veut tout centraliser à Toronto. Nos enfants seront-ils réconfortés par des médecins en français ? J'en doute.

En espérant que les conservateurs auront bon cœur et qu'ils renverseront leur décision, je vous fais part d'un exemple. Patrick Quesnel, d'Alexandria, a subi sa première opération à peine deux heures après sa naissance. Patrick en a subi 11 autres en cinq ans—oui, 11 opérations en cinq ans. Il a dû visiter la clinique de CHEO trois fois par semaine. Patrick Quesnel est un francophone, et ce gouvernement est prêt à l'envoyer dans un milieu anglophone à 600 kilomètres pour sa prochaine opération. Je dis non. À titre d'Ontarien, à titre de député et à titre de parent, je répète encore : c'est inacceptable. Aussi, prenez garde du fait qu'il y a seulement un hélicoptère de disponible pour desservir tous nos enfants de l'est ontarien.

Pour l'amour de nos enfants de l'est de l'Ontario, j'espère que ce gouvernement aura bon cœur et qu'il gardera ces services essentiels ouverts à CHEO. Autrement, la bataille commence samedi prochain, à 10 heures du matin dans le stationnement de CHEO.

#### DIANE KALENCHUK

**Mrs Margaret Marland (Mississauga South):** It gives me great pleasure to congratulate Diane Kalenchuk as the recipient of the Gordon S. Shipp Memorial Award for 2002, and the Mississauga Citizen of the Year.

A successful realtor and long-time resident of Mississauga, Diane also finds time to provide inspired leadership in minor sports, civic projects and multiculturalism. Diane has been a member of the Mississauga Real Estate Board since 1980 and served as its president in 1991. In 1995 she received the Ron Sanderson Award, which honours outstanding realtors who volunteer in the community while upholding the highest ideals of their profession. She also received the Joan Fitzpatrick Award for volunteer commitments to the MREB.

Diane co-chaired the Mississauga Millennium Committee, which organized a year-long celebration for the turn of the century. In minor sports her more than two decades of service have included key roles in establishing Gymnastics Mississauga and building the new club's facility.

A member of the Mississauga Sports Council since 1992 and its chair since 1997, Diane serves on the sports complex committee and has chaired the sports week and sports dinner committees.

Diane, your hard work, dedication and generosity with your personal time are an inspiration to residents across Mississauga. We're all very proud of you. Thank you for making a difference in the lives of so many people in our great city.

#### VISITORS

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** On a point of order, Mr Speaker: Sitting in the gallery with my daughter Angie and my nephew Michael Harris is a master of capoeiro, Mestre Antonio Bezzerá dos Santos, who lives in Brazil in the heart of the Amazon jungle. He is a master of capoeiro, which is an extremely acrobatic, athletic martial art that requires of its students tremendous physical skill. I am proud to say that my daughter Angie is now a graduated student. I would like to recognize the mestre from Brazil and his friends.

Welcome, *bienvindo*, Mestre Antonio Bezzerá dos Santos.

**Mr Steve Peters (Elgin-Middlesex-London):** Also on a point of order, Mr Speaker: I read with interest the Ontario Business Report that's just been presented. It says, "Runciman promotes Ontario's competitiveness to the world and announces automotive sector round table." I applaud him on the creation of the round table, but it

would have been nice to have a car made in Ontario and not a Corvette made in Kentucky.

**The Speaker (Hon Gary Carr):** It's not a point of order.

## MOTIONS

### SELECT COMMITTEE ON ALTERNATIVE FUELS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I would like to ask for unanimous consent to move a motion concerning the select committee on alternative fuels.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that, notwithstanding the order of the House dated June 28, 2001, the select committee on alternative fuels shall submit its final report to the assembly by June 6, 2002.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

The minister for a point of order.

1350

## BILL WILKINS

**Hon Robert W. Runciman (Minister of Public Safety and Security):** Mr Speaker, I'd like consent for each party to speak for approximately five minutes on the passing of Barrie firefighter Bill Wilkins.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Runciman:** I rise in the House to recognize the tragic passing of Barrie firefighter Bill Wilkins. Firefighter Wilkins died yesterday in the line of duty, as the result of injuries suffered while fighting a house fire in his community.

Bill Wilkins was only 32 years old. He had always wanted to be a firefighter, and began his career as a volunteer with the Oro-Medonte township fire service. In 2000, he joined the Barrie Fire and Emergency Service as a full-time professional firefighter. He was also a paramedic and a volunteer ski patroller. He was a man who clearly cared deeply about his community and helping others. The tragedy of Bill Wilkins's death is compounded by the fact that he and his fiancée planned to be married in just four short weeks. Firefighter Wilkins is also survived by his mother and two brothers.

Last November, former Premier Harris and I visited Ground Zero in New York City. For me, the most moving part of that emotional visit was having the opportunity to see the temporary firefighters' memorial. That memorial contained the pictures of the hundreds of firefighters who lost their lives in the space of a few hours that fateful morning. It dramatically drove home to me that firefighters like these men and like Bill Wilkins

know that every single day they report for duty, they face the uncertainty of whether today is the day they will be called on to risk their lives in the service of others. Understanding this challenge is one thing; accepting it and overcoming it every single shift is something else. It defines heroism for me and I know for all Ontarians.

Firefighters are a part of that small and all too often unappreciated core within each community, a core that includes police officers and emergency medical personnel, dedicated public servants who allow all of us to feel safer and more secure. Bill Wilkins was the seventh firefighter to die in the line of duty in the past 10 years in Ontario.

In closing, let me extend our condolences to the Wilkins family, his fiancée, his fellow firefighters and friends, and the community of Barrie. Hopefully, there will be solace in knowing that their grief is shared by us all.

Mr Speaker, following the comments of other members, I would ask through you that all honourable members rise for a minute of silence in memory of the all-too-short life of Bill Wilkins.

**Mr David Ramsay (Timiskaming-Cochrane):** The first thing I'd like to do is to thank the Minister of Public Safety and Security for allowing the Ontario Legislature to reflect on the life of Bill Wilkins and the price that he paid in saving Ontarians as he did in Barrie a couple of days ago.

I don't know if it's since the events of 9/11, but I think if one could say that there has been a positive change in society since that horrific, terrible attack on New York City, maybe in our day-to-day lives now we are starting to take the time to appreciate the men and women who serve and risk their lives to protect us all in society.

I know the minister has always respected and revered our men and women in uniform, and everybody in this House respects that and knows that to be true. I know I got a greater understanding about five years back when my leader, Dalton McGuinty, asked me to be the critic for the Solicitor General and I really got to know for the very first time the men and women who serve in our firefighting services. It was really the best time of my life to get to know a group that was strong and loyal and very tight-knit, very protective of each other because they risked their lives every day.

As Dalton would say, in our just-in-time lives we're so busy just trying to keep up with our lives, to keep our family going and keep up with work, that we don't take time to pause and appreciate that in some lines of work people risk their lives every day. Most of us don't, but there is a large group of people in this province who do that. They and their families don't know, when the emergency worker goes to work, whether that person will be returning to their home that evening. Most of us don't think that. We take it for granted that we'll be back home, because our jobs don't potentially mean we will pay the ultimate price that these emergency service workers do. I think we forget that and I appreciate the minister's giving us that opportunity.



I would like to say to Bill's fiancée, his mother and his two brothers that we deeply regret what happened, but we appreciate that Bill was out there trying to do his job, protecting and serving the people of Ontario. From the reports that I've read of how Bill looked at his job, we know that he was doing what he loved to do, which I know I could say for all of the emergency service workers I know.

On behalf of the Liberal caucus, we send our condolences to Bill's family and we will never forget.

**Mr Peter Kormos (Niagara Centre):** It's a tragedy when any worker dies in the course of the performance of their job. But front-line emergency response personnel, women and men in fire services, police services and other emergency response services, take on their professions knowing that an integral part of that task that they're going to be called upon to perform involves the risk of personal danger and, yes, the risk of death.

It's an incredibly tragic thing for us here in this Legislature, and I want to say clearly that we speak today with one voice. There is clear unanimity in this chamber, as we speak with respect and regard and indeed with awe for Bill Wilkins. He was 32 years old, two years in the firefighting services, just beginning a career that undoubtedly—well, it already was spectacular, wasn't it? We speak of heroism, but it's a heroism that's born of commitment, of professionalism, of a sense of service to one's community and to the people in that community. It's a professionalism and sense of service and heroism that firefighters display every day.

We learn so much about our own shortcomings when we witness the special strengths and the special qualities of others. Bill Wilkins's role in the community was not restricted to firefighting, but he participated in every other facet of the community and in roles which enhanced and secured the safety of other people in that community, every one of them. He was one of those exceptional people who, by demonstrating his special qualities in such a dramatic and regrettable way, simply causes us to pause and reflect on our own shortcomings.

So you have a mother without a son, brothers without a brother and a young woman without her husband. We can't even begin to imagine their incredible grief. But I say on behalf of this New Democrat Party caucus, and I'm confident this statement is shared by all, that while that grief will persist, we hope it is alleviated even somewhat by knowing that Bill Wilkins's passing is a loss not just for his family, not just for his young fiancée and not just for his fire service—and it is, for his colleagues, for his community—but it's a loss for all of us here in the province of Ontario.

We remind ourselves that, yes, women and men in firefighting services undertake this danger on a daily basis, and they are prepared to partake in that bizarre lottery that their profession requires them to play the game of chance with. But they do it on a daily basis in every community in this province, big fire services and not so big, like Barrie, and they do it with a courage that only special people can muster up. They do it with a

commitment that is unique to people in these front-line emergency services professions, and they sustain each other with their unique sense of fraternity and sorority within those professions. I hope we help them sustain that courage and commitment with this modest gesture of support and condolence here in this chamber today.

**1400**

So New Democrats join with every other member of this assembly in expressing our profound regret at the tragic loss of life of Bill Wilkins. We express our most sincere sympathies to his family, his colleagues, his fiancée and, indeed, to his community.

We hope and pray that every firefighter, while facing the incredible risk of loss of limb or loss of life, has the strength and courage to continue to do their job, which is incredibly important to the safety and security of each and every community and each and every resident of that community here in Ontario.

**The Speaker:** I thank the members. The minister has asked for a moment of silence. Agreed? Agreed.

Would all our friends in the gallery please join us for a moment of silence.

*The House observed a moment's silence.*

**The Speaker:** I thank all the members and our friends in the gallery. I will ensure the fine comments are forwarded to the family.

During the introduction of bills, I inadvertently missed a member who apparently was standing. With the consent of the House, we could go back to the introduction of bills. Agreed? Agreed.

## INTRODUCTION OF BILLS

### FAMILY RESTROOM FACILITIES ACT, 2002

#### LOI DE 2002 SUR LES INSTALLATIONS SANITAIRES FAMILIALES

Mr Parsons moved first reading of the following bill:

Bill 57, An Act to facilitate families by requiring that all buildings open to the public be equipped with family restroom facilities / *Projet de loi 57, Loi visant à assister les familles en exigeant que tous les bâtiments ouverts au public soient équipés d'installations sanitaires familiales.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Ernie Parsons (Prince Edward-Hastings):** A constituent of mine made me aware of the challenges many seniors face when they're out in public and require some assistance. In far, far too many cases in Ontario, a wife is not able to assist a husband or a husband a wife. This also applies to families with disabilities. The reality of this is that individuals are kept prisoners in their homes, because they cannot go to a shopping centre, a

government building or any number of buildings where they would require some assistance.

This act would require that by January 1, 2005, government buildings, municipal buildings and commercial buildings over 50,000 square feet, such as shopping centres, have a family washroom available for a family member to assist another family member.

I suggest that it would also be most helpful to young families where you have one parent with a young child who is too young to use the washroom on their own but too old to go into the washroom with the parent.

I believe this would facilitate safety for young families and would certainly enable seniors and individuals with disabilities to get out into the community of which they are very much a part.

**The Speaker:** I thank the member and the House for their indulgence.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### COMPETITIVE ELECTRICITY MARKET

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** For more than six years, this government has been consulting and taking action to ensure that Ontario has an electricity system that is ready for the 21st century.

Beginning with the report of former federal finance minister Donald Macdonald and continuing through forums such as the Electricity Transition Committee and the Market Design Committee, the government has sought advice from experts and from Ontarians with views on reform, from consumer advocates and environmentalists to municipal distributors and large power users.

The government set out and began to implement a clear plan for reform, beginning with a white paper and continuing through comprehensive and detailed regulations. At every stage, we benefited from extensive input from the public and stakeholders.

That plan passed a major milestone when, on May 1 of this year, Ontario's electricity market opened for competition. May 1 heralded an historic turning point, not only for Ontario's electricity market but also for our economy and for the future well-being of all who live here.

The market opening was a critical step in the government's plan for a comprehensive and necessary overhaul of Ontario's electricity sector—necessary because, however well it had functioned for many years, the old electricity monopoly, Ontario Hydro, had by the 1980s begun to suffer from crippling effects of gross mismanagement and appalling waste.

What were those effects? By 1999, they included an astronomical \$38-billion debt and other liabilities, and a generation and transmission infrastructure that was suffering from neglect and sliding into disrepair.

Who was on the line to pay that debt? It was the ratepayer who was left to pay the bill—literally. Up to 35% of each electricity bill in this province has gone to paying down the old Ontario Hydro debt, and most ratepayers didn't even know it. If the debt burden became too great for the ratepayers, why then it would be up to the taxpayers of Ontario, each and every one of us, to guarantee or backstop that debt. Similarly, many people have only recently come to know that our transmission infrastructure needs repair, renewal and, above all, reinvestment.

When the government began consultations and reform in 1995, it soon became clear that it would take more than yet another study of Ontario Hydro or a few team-building exercises, or worse, a massive influx of taxpayers' money, to fix Ontario's electricity sector. We knew that we had to rethink the entire sector from the ground up. We consulted and listened and developed a plan for electricity restructuring in the interest of Ontarians.

Much of that plan is already in place. We split generation and transmission into separate companies to create fairer, more focused competitors. We adopted provisions to mitigate and reduce Ontario Power Generation's market power, to strengthen competition and give consumers more choices. We restructured and refinanced the new companies to improve transparency and accountability.

The next step in the plan is to ensure the continued viability of Hydro One Inc, which operates Ontario's transmission grid, without leaving taxpayers on the hook for the necessary investments.

After a ruling by the Ontario Superior Court, Premier Ernie Eves announced that the government would propose new legislation on the future of Hydro One. The Premier instructed me to hold a series of public consultation hearings throughout the province to gather input about the legislation.

We wanted to know the views of the people of Ontario on the following four key objectives: first, to ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace; second, to ensure that necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario; third, to bring market discipline to Hydro One, the province's transmission company, and to eliminate and prevent any possibility of the recurrence of staggering debts such as the current \$38-billion debt and other liabilities; and fourth, to achieve these goals while protecting consumers.

While the consultations were taking place, I received literally hundreds of letters, e-mails, faxes and phone calls from people across this province. People want to know that, above all, the consumer will be protected, because at the end of the day, the purpose of reform is to provide benefits to the consumer. They want to be assured that the new electricity market won't be subject to price manipulations like those alleged to have happened in California recently. They want to know that



they have recourse against those few energy retailers who use unscrupulous methods to secure a contract. They want more transparent contracts that present only honest, factual information.

They told us they want to know that our environment will be well protected, both by tough rules and by access to cleaner, greener forms of electrical energy. They want to know that the electricity transmission corridor lands will remain in public ownership. They want to know that the massive Hydro debt will be dealt with.

1410

On the first point, I can tell you that this government has already put in place a rigorous code of conduct that energy retailers must adhere to, and the Ontario Energy Board will continue to regulate rates regardless of who owns the wires. But the toughest standards and regulations possible don't mean a thing without a way to ensure compliance; that is regulations without teeth. That's why the government has already increased the Ontario Energy Board's power to enforce those standards. These powers include the ability to impose fines and even revoke retailers' licences, depending on the severity of the infraction.

Some people suggested that these changes are still not enough, and your government has heard that concern.

With regard to environmental protection, I can tell you that we have listened, we have heard, and we will act.

We also listened to Ontarians when they told us their wishes about the transmission corridor lands, and last week you heard Premier Eves's commitment to keep these lands in government hands.

Ontarians understand that the \$38-billion debt must be reduced to keep the province economically competitive. Many of them told us in the strongest terms to ensure that every last penny from the disposition of Hydro One, whatever form it may take, goes toward paying down this debt and finally removing this stone from around the taxpayers' neck.

I believe the \$38 billion in debt and other liabilities and the deterioration of our electricity infrastructure are, if anything, signs that point to a fundamental problem of governance in the publicly owned utilities in the absence of market discipline.

Finally, people gave us their opinions and ideas on the future of Hydro One. They offered many different possibilities to meet our common goals, and we will continue to consider their thoughtful input. Our plan is clear, and it can only be strengthened by the breadth and depth of advice we have received on how to enact its principles.

The people of Ontario have told us their concerns. They understand the complexity of the challenges we all face and have offered us ideas on how to overcome these challenges. Some of those ideas can be implemented soon; others demand greater consideration. We have welcomed them all. We will take the best aspects from each idea to fashion legislation that will not only help transform the future of Ontario's electricity sector in the best interests of the people of Ontario but also ensure that

the economy of this province continues to move from strength to strength.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

It is to state the obvious to observe that there is much less in Minister Stockwell's statement just read than is to be found on this subject in today's press.

What do we find out in the press today? We find out in the press today that Ms Eleanor Clitheroe, president and chief executive officer of Hydro One, has enriched an already obscenely generous exit package since Premier Eves announced the potential of a change in government policy. Just to be clear, Hydro One, a company with one shareholder, the government of Ontario, is now run by Ms Clitheroe, who we are told in the press today has enriched her deal.

What's her deal? It's a current salary in excess of \$2 million, a severance package estimated to be somewhere in the neighbourhood of \$5.5 million to \$6 million, and a pension conservatively evaluated to be worth about \$750,000 a year and indexed for life. That's what we find out in the press today. And you should know that that deal, sweet as it was, has been enriched in the last couple of weeks by the directors of Hydro One, the shareholder of which is the Ontario government.

How do we know this? We don't know this because Premier Eves or Minister Stockwell is telling us. Oh, no. This government that says it believes in opening the doors of public accountability has shut the doors of accountability and transparency to the successor companies of the old Ontario Hydro. You have specifically forbidden our freedom-of-information legislation to range into the business affairs of these two companies. How do we know this? We know it because Hydro One has to fess up to the securities and exchange commission.

Now let me say something else: it's not just Eleanor Clitheroe. Who else is over there? This minister will talk about consumer protection, but make no mistake about it: hydro in Ontario today is a \$10-billion annual business. It is shot through with every special interest and conflict of interest you can imagine.

You know, I was reading the Hydro One prospectus and I am reminded of something else. Did you know, colleagues, that Hydro One has in recent times signed a 10-year, billion-dollar deal with an outfit called Inergy LP, an affiliate of Ernst and Young Canada—a 10-year, billion-dollar deal. According to this prospectus filed by Hydro One a few weeks ago, it is cited as a risk factor because, we're told in the prospectus, this 10-year, billion-dollar deal may in fact not save the electricity consumer any money.

Does anybody remember the Andersen Consulting deal and Comsoc? Not one, by the way; we have two deals worth a billion dollars, involving subsidiaries of Ernst and Young. Do we know anybody who has a close connection with the Ontario Conservative government and formerly with Ernst and Young? I do. His name is Bill Farlinger. I would like to know, since today's paper makes it plain that people like Eleanor Clitheroe and, I have to assume, Deb Hutton, my old friend, also at the

executive suite—these people, some of whom are very closely connected to the Ontario Conservative Party and government, apparently are looking after themselves to a very considerable degree.

What's up with Bill Farlinger, I ask with all due respect? Two-billion-dollar outsourcing deals involving successor companies to Ontario Hydro and Ernst and Young Canada. I'm sure my friends in the press are going to want to investigate that very carefully, because the Clitheroe deal is what we know to date and, boy, are people in important places looking after themselves. My question is, who's looking after the ratepayer? Quite frankly, I hold little faith in our regulator, because in the early going the Ontario Energy Board looks more like a referee from the World Wrestling Federation than a real, tough customer-friendly regulator.

**Mr Howard Hampton (Kenora-Rainy River):** Allow me to say I was very impressed by the Liberals' statement. This is the same Liberal Party that only six months ago was saying they supported all this and in fact was trying to raise money from the very private corporations that want to make money off it.

But I want to refer to the minister, because it's the minister who perhaps has said the most outlandish things. I want to say to the people at home, because this really concerns them, that the minister says that this government has been consulting on their design for electricity. Do you know whom they consulted with the most? Do you know who was on every one of the technical, finance and design committees for deregulation? Enron. Enron was put on every one of the committees by this government. Enron also contributed, so far as we can tell, at least \$20,000 to a number of the cabinet ministers for their election campaigns. But it was Enron that was on the technical design committee and on the design advisory committee and all the other committees. People across Ontario had better think twice about everything the minister says after that.

Then he says that the so-called market opening has been a tremendous success. But we read in the paper yesterday that one of the government's comrades-in-arms, one of its staunchest supporters for privatization and deregulation, one Tom Adams of Energy Probe, says that because Pickering A isn't coming on-stream, we may face an electricity shortage this summer. In fact, he's saying that consumers across this province are at risk of seeing their electricity bills go through the roof this summer. That's Tom Adams and he is a supporter of this government. He is saying that this government has botched it.

1420

Folks, all of you who may be at home, what you really have to listen to is this government's debt scaremongering. The truth of the matter is that every hydroelectric utility in the western world, whether publicly or privately owned, carries debt—every one. Hydro-Québec carries about \$20 billion in debt. No one is saying that Hydro-Québec is a disaster and has to be folded up. Manitoba

Hydro carries about \$8 billion in debt. No one is saying that they have to be folded up and put to bed.

*Interjections.*

**The Speaker:** Stop the clock. Order.

**Mr Hampton:** What the government doesn't want to tell you is that the assets are valued at over \$18 billion, and what they also don't want to tell you is that there is a dedicated revenue stream there of over \$13 billion. You see, generating and transmitting electricity is a business that takes in a lot of money, but the government doesn't want to tell you that you have this revenue stream dedicated to paying down debt. In fact, the government's own corporation, the Ontario Electricity Financial Corp, tells us that when you consider the value of the assets and the revenue stream, the so-called residual debt is only about \$7 billion for a huge enterprise that has served the people of this province very well.

The government says it is interested in consumer protection. We've had examples of people being misled on the doorstep. We've had examples of people being outright lied to on the doorstep. We've had examples of people's signatures being forged on these electricity retail contracts. What has the government done? Nothing. Nada. Why? Because this government is on the side of those private electricity marketers. This government would rather look after them than protect the consumers of Ontario.

The government also says that it has made this process transparent and with accountability. The first thing they did was to say that the freedom of information act no longer applies to what's happening here so that people wouldn't be able to find out the salaries and the bonuses—the bloated, greedy salaries and bonuses—that this government is now paying its cronies both at Hydro One and at Ontario Power Generation. There's no transparency here. This is a government that has increased the salaries from about \$400,000 a year to \$2.5 million a year, and the ratepayers of the province are paying for it. This is a government that has tried to keep it secret.

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: The Minister of Energy has indicated that Hydro lands will remain in public hands, and I take the minister at his word. In that instance, I would seek unanimous consent for an immediate third reading vote on Bill 13, the Electricity Amendment Act (Hydro Transmission Corridor Lands), standing in the name of my colleague Mr Sergio from York West.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is for the Minister of Energy. Minister, I'm sure this will be fresh in your mind. On the



15th of May we brought to the Legislature our concerns in connection with the outrageous compensation package awarded to Hydro One's senior executives.

On May 16, the Premier commented on those pay packages and said that they were inappropriate and he said that you were going to assume the responsibility to look into this and presumably fix it. On the very next day, May 17, the board of Hydro One filed an even richer compensation package for their senior executive members.

My question to you is, given such an egregious act of insubordination, can you tell us whether the board of Hydro One continues to enjoy the confidence of yourself, the Premier and your government?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I will not stand here today and defend that act. It was improper. It was—  
*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Hon Mr Stockwell:** I will not defend that act. That, in my opinion, was unacceptable, and it was unacceptable to the Premier. We are in the process of reviewing salaries and will have some options at the end of the day. Those options will have to be taken by this cabinet and this caucus. Let me say that those options will include suggesting to the board and to the senior staff that they roll those back. If they choose not to do that, we also have legislative options. We, as a government, are prepared to ensure that the ratepayers are protected. If in fact we need to take legislative action to protect them, we are prepared to do so.

**Mr McGuinty:** Your board, Minister, the one that approved a \$175,000 car allowance, a \$172,000 vacation allowance, a \$6-million golden parachute, felt so accountable to you and to your government, so intimidated by the random musings of your Premier, that the following day they actually moved to enrich the compensation package for senior executives. Who over there is going to take responsibility for bringing Hydro One board members to heel? If you can't control Hydro One as a public entity, how can we possibly have confidence in you to control its new manifestation as a private entity? What specifically are you going to do, Minister, to bring Hydro One's board to heel?

**Hon Mr Stockwell:** First let me say that there's been no decision with respect to the disposition of Hydro One—public, private, whatever. That's the first thing.

*Interjection.*

**Hon Mr Stockwell:** The second thing is, to the member from Vaughan, that we have agreed—

*Interjections.*

**The Speaker:** Would the member come to order, please? It's hard to hear when he's shouting at the minister like that. Sorry, Minister.

**Hon Mr Stockwell:** We have agreed in very clear terms that we don't accept that decision by the board of directors.

The decision this government will take will be to review the salary compensation that's in place today. We

will then take the necessary action to put in place a decision of this cabinet and this government. If that action necessarily leads to legislative reform, then we will take legislative reform.

There's no shortage of commitment on this side. We are simply putting it to you that we don't accept that decision and we will remedy it for the benefit of the taxpayers of Ontario.

**Mr McGuinty:** Tough talk, Minister. So tough, so threatening, so intimidating that the day following this matter being raised in the Legislature, the board moved to enrich the compensation package. That is irrefutable. That's how much credibility you have in the eyes of the board.

We, the people of Ontario, through you, are the sole shareholder in Hydro One. Why is it that you have been so weak, so incapable of bringing the Hydro One board to heel? You have been so ineffective that this board has actually moved to enrich the original compensation package. What specifically are you going to do to provide us with some confidence that tomorrow or the day following or maybe sometime next week this same board won't move to still further enrich the compensation package for themselves?

**Hon Mr Stockwell:** Specifically? I couldn't have been any more specific.

*Interjections.*

1430

**The Speaker:** It's a very important question that I'm sure the people of Ontario want to hear, but there'll be no question period and the minister will not be answering any questions as long as you continue to yell at him. The people of Ontario can look at the members who are yelling and screaming as the reason that this question won't be answered, and we'll just sit here.

Plus, you give the minister plenty of time to think about his response. If that's what you want to do, that's what we'll do. Not that he needs any. Minister.

**Hon Mr Stockwell:** Thank you, Mr Speaker. Look, I can't be any clearer than what I've said. We will sit down with the board of directors and with the senior staff. We'll encourage them to roll that back and put a compensation package in place that's more acceptable to us and the ratepayers.

Now, if the board of directors and senior staff choose not to do that, we have one tool left. It's called legislation. This government is very clear. We will move to legislation to protect the ratepayers in the province of Ontario. That's direct, that's clear and that's action.

When that legislation, and if that legislation, has to be introduced in this House, I would expect nothing but co-operation from the likes of McGuinty and Hampton and—

**The Speaker:** Order. New question.

#### CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. Minister, I'm

sure you will have recognized by now that your decision to shut down the children's cardiac surgery programs in London and Ottawa has unleashed a firestorm of opposition.

Many in those communities are asking questions about your methodology, to say nothing of the conclusions you arrived at. More specifically, they're asking for an objective, independent review by an expert in cardiology. You will be well aware that no cardiac specialists were among the group of advisors who recommended to you that you shut down these children's cardiac surgery programs.

My question to you, Minister, is, will you now agree to an independent, objective review of the cardiac surgery programs for children in Ottawa and London?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question. Indeed, I am hoping he was not meaning to impugn some of the world-renowned pediatricians who took part in the study and the report that was presented to the government.

Having said that, this issue was raised by CHEO and I'm pleased to inform the House that I've appointed Dr Wilbert Keon to conduct a review of the process, a review of the facts, and a review of any facts that CHEO wishes to put on the table. From that perspective I believe we can clear the air and make sure that we do the right decision on behalf of the people and children of Ontario.

**Mr McGuinty:** On behalf of my community in Ottawa, I want to say thank you for that, Minister.

One of the things I would ask of you through your reviewer, Senator Keon, is to take into account the impact that losing cardiac surgeons is going to have on our ability, in Ottawa specifically, to deal with emergencies. We deal with roughly 80 severe trauma cases on an annual basis at CHEO. One third of those arrive directly; two thirds are arriving from places like Cornwall and Brockville. About 10 of those involve cardiovascular problems of a very serious nature. To deal with these life-and-death situations we need a full service team in Ottawa, including cardiovascular surgeons and invasive cardiologists. You are going to take these away.

What are you proposing that we do in the future with these 10 children in need of immediate cardiovascular emergency care?

**Hon Mr Clement:** I would not presume to contradict either the findings of the pediatricians who composed the report in the first place, or indeed anything that Dr Keon might find. As the honourable member knows, or should know, Dr Keon is an eminent cardiac surgeon based at the Ottawa Heart Institute. As a member of the Order of Canada, as well as having other awards and recognitions, he has shown himself to be a truly great Canadian.

Having said that, I can tell the honourable member that the report that was put before me indicated that we were dealing with elective surgeries, that a number of emergency surgery situations in Ottawa are already airlifted to Sick Kids or other locations and that the committee found that the way to ensure the best results,

the healthiest kids possible who are faced with this procedure—their recommendations were the ones they posed to me. They made them in good faith, without politics, without those extraneous issues, strictly on a clinical basis.

**Mr McGuinty:** Your Premier is now claiming it is a mark of courage in your government to listen. He tells us he wants to listen and that he wants to lead a government that is responsive and responsible. With that in mind, I am going to recommend to you the letters to the editor that have been printed in Ottawa papers.

There is one today from a father who tells the story of his 10-day-old daughter who was undergoing ultrasound when she experienced cardiac arrest and her life was saved as a result of the cardiac expertise then in Ottawa. There is another case today where a mother and father write about their eight-year-old daughter who was in shock as a result of E coli and experienced a heart attack. Again, her life was saved in Ottawa at CHEO, in a very urgent matter, because of the cardiac expertise there. I'm asking you to admit, Minister, that as a matter of common sense and compassion we must have cardiac care expertise at all times at CHEO.

**Hon Mr Clement:** The honourable member is quite correct. Indeed, we should have cardiac care expertise in London and in Ottawa. We have pediatric cardiac care expertise in Hamilton and in Kingston as well as in Toronto. So the honourable member is correct.

I would like to assure honourable members that no recommendation in the report indicated that anyone was attempting to remove all cardiac care from the Ottawa region when it came to pediatrics. In fact, a number of cardiac procedures would still take place in both communities—in London and in Ottawa—just as they take place in Hamilton and in the other teaching centre at Kingston. I can assure the honourable member that there will be cardiac expertise in Ottawa and in London, as it is currently found at McMaster and in Kingston. Indeed, I believe the recommendation that there be a network of cardiac care that is province-wide and integrated leads to better care for all children in Ontario.

#### HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier, and it concerns this government's overall accountability.

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry to interrupt. Order. Let's start over. We've got some discussions going on here. Sorry for the interruption. We'll give you your time over again. Could we just hold the clock for about 10 seconds?

**Mr Hampton:** In 1997, one Eleanor Clitheroe was being paid about \$400,000 a year as a vice-president at Ontario Hydro. In 1998, your government passed your legislation, the Electricity Act, which broke up Ontario Hydro and created Hydro One. You then exempted this body from the Freedom of Information and Protection of



Privacy Act, so that the public and the press would not be able to find out what they were being paid. You put the board in place, and you put Eleanor Clitheroe and her cronies in place as the executive people. And it's your government that says this should be privatized so that private sector discipline will prevail.

Your government has been in charge throughout this, while Eleanor Clitheroe's salary has gone from \$400,000 a year to \$6 million for just walking out the door. Is this what you call discipline and looking after the consumers of Ontario?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'll refer that to the Minister of Environment and Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Firstly, let's deal with freedom of information. You were in government. You didn't allow freedom of information to apply to companies such as Enbridge that were in the energy business. There was no freedom-of-information access to their information. You couldn't access the information of Toronto Hydro. You couldn't access that information, and that's also with respect to freedom of information. They're being treated like any other energy entity out there, like Toronto Hydro and like Enbridge. That's the first issue, that if you really felt strongly about it, why didn't you apply freedom of information to companies like that when you were in power?

1440

Second, we have been extremely clear with respect to the compensation packages. We find it unacceptable. The action that the board of directors took we find also unacceptable. We are reviewing the salaries and we will meet with them and ask them to come forward with a package that is less undesirable to the people of the province of Ontario. If they will not, I don't know how clear a government can be: we will take legislative action, I'm certain, in the near future if we need to and we'll have full co-operation via this line of questioning from the Hamptons and McGuintys et al in this House.

**Mr Hampton:** The point is that what has gone on here has been this government's creation. It's this government that has set this whole fiasco in place.

What's interesting is that the Hydro One board filed a statement with the Ontario Securities Commission that says they set their salaries based on comparable compensation in the private and public sectors. I challenge the minister: you find somebody in the public sector who's going to get paid \$6 million for just walking out the door. What's clear is that all this comes about as a result of your government's policy of privatization. Even though this company hasn't been privatized yet, you're the government that said they should behave like a private sector corporation.

Well, tell the hydro ratepayers of Ontario how it's good for them when you set up your cronies, the people you put in place at Hydro One, to get paid \$6 million just for walking out the door and \$3 million in salaries. How is that good for the hydro ratepayers of Ontario?

**Hon Mr Stockwell:** I've addressed the issue three times today with respect to this government's position on the compensation of Hydro One employees and senior staff and I can go through it again. But I think what we need to understand here is that this government has taken a direction to move forward on preserving the hydro market in Ontario.

You were the guy who spent five months travelling this province, telling people that when the market opened on May 1, 2002, prices were going to double and we'd have rolling blackouts across the province. That never happened. The fact of the matter remains that the leader of the third party consistently, over five months, has made suggestions and allegations that in fact never took place.

What I'm saying to you today is that we will meet, we will encourage them to remove that and we will ask them to review their compensation with an eye to moving it downward. If they won't, we will move forward on legislative initiatives. I don't know what more the leader of the third party could ask for than decisive, clear leadership by this party, this government, in the province of Ontario.

**Mr Hampton:** I just want to point out to the minister again that your own friend Tom Adams is saying to you that you've put the consumers of Ontario in a position where they could well see hydro prices go through the roof this summer.

What is at the root of this is this government's whole philosophy that what has been a successful public utility, what has provided electricity for people in this province for almost 100 years, can somehow be done better by your private sector friends. What do we see? We see boondoggle contracts for a billion dollars that they're forced to admit now may not work. We're seeing people getting paid gross salaries that are simply going to come out of hydro ratepayers' pockets. And what does this government say? What do you say? "Oh well, you know, we're going to go have a talk with them."

Minister, when are you going to admit that what happens under privatization are these kinds of bloated salaries and bonuses? These kinds of bloated payouts become the rule, not the exception. How do you plan to protect people from that kind of activity, not just at Hydro One but at Ontario Power Generation too?

**Hon Mr Stockwell:** You've got to be the only guy in this province who thinks hydro was properly and well run with a \$38-billion debt and \$17 billion of assets. You have got to be—no, maybe you're not. There are a few over here who might think the same way.

You are the only guy I know who comes up to me and says, "Boy, what a crackerjack, well-run, Swiss-watch operation Ontario Hydro was that ran up \$38 billion in debt and had \$17 billion in assets." You are the only guy I run into who says, "Maintain the status quo. I want my children to pay my hydro bills." You're the only one coming up and telling me that.

The reason we're in this mess is because the system broke, it wasn't well run, and we were the only

government with the integrity, reviewing it from a long-term angle, to concern ourselves with how power will be provided in Ontario. You sat idly by for five years, did nothing, ran up the debt, and all you tried to do was buy rain forest land in Costa Rica, like that was going to solve the problem.

#### ONTARIO SECURITY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Public Safety and Security. Minister, you're having a bit of a problem. The head of the Canadian Security Intelligence Service says that he doesn't know what you're talking about when you say that somehow you had put a so-called al Qaeda sleeper cell out of business. This is starting to sound like an episode out of Maxwell Smart, but I have to say to you, the problem here is that these are really serious issues. In fact, people may have unfair allegations raised against them; people may be subjected to interrogation over it when they really don't deserve it.

I want to know from you, when the head of the Canadian Security Intelligence Service says that he finds your whole story unfounded, how do you explain to the public your conduct and behaviour in this matter?

**Hon Robert W. Runciman (Minister of Public Safety and Security):** It's interesting to see the new interest of the NDP in public safety and security issues. This is unique given their history in government.

I want to say with respect to the comments that were reported in the press this morning, I think that is a relatively modest situation in terms of definition. The reality is, I am told by the OPP that we have never in this country had a more coordinated effort on the part of the RCMP, CSIS, provincial and municipal police and intelligence officials in meeting the challenges that followed the terrorist attacks on September 11.

I'm proud of what we're doing in Ontario. I think the Canadian effort is something to be proud of, not ridiculed as the NDP are wont to do.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Peter Kormos (Niagara Centre):** Minister, this is a very serious matter. CSIS is telling Canadians that if you were advised by the OPP that there was a sleeper cell, the advice you received was inaccurate. It was false. CSIS is telling us that there was no sleeper cell.

In what is a serious and volatile situation, you have had a rather cavalier approach to the facts. Was there a sleeper cell or not? When did it skip town? Why didn't your government disclose it then? Why weren't they charged? The list of questions is endless. You just can't blurt out something like you did in the midst of a war where thousands were killed, when emotions are high, and not take responsibility for those comments. It's not enough to hide behind the OPP. Who are you getting political advice from anyway—Art Eggleton?

Will you stand up before this House today and either retract your comment that there was a sleeper cell or tell us that CSIS is, in and of itself, wrong and is not aware of

the facts in Ontario or, third, explain to us what you will do to reconcile this clear conflict between CSIS and your OPP?

**Hon Mr Runciman:** I can assure the honourable member I'm not getting advice from Art or any of his friends, but I will say that if you look at the track record of this government, we were the first government in Canada to respond following the terrorist attacks of September 11. When there was important federal legislation changing the immigration act, C-11, and the terrorist legislation, C-36, it was our government that appeared before federal committees to testify with respect to their concerns and their input. The NDP wasn't there; the Liberals were not there. During their five years in office they were well known for second-guessing the police services of this province. We had a demonstration on the lawns at Queen's Park, 5,000 police officers dressed in blue, protesting that government that wouldn't open a door to a police officer in this province to listen to their concerns. And we're going to take advice from them? Not a chance.

1450

#### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** I think I've seen that movie before, Speaker.

My question is to the Minister of Energy. Minister, very simply, when did you first learn about Hydro One's outrageous pay package for its board of directors?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Not wanting to avoid the question, the pay package they got or the revision to the pay package?

**Mr McGuinty:** The original pay package.

**Hon Mr Stockwell:** The revisional pay package. I learned about it last week, I believe. Last Thursday, I think.

**Mr McGuinty:** Minister, that pay package was made public by way of a prospectus filed on March 28, the original pay package.

*Interjections.*

**The Speaker (Hon Gary Carr):** We need the two-referee system too.

**Hon Mr Stockwell:** On a point of order, Mr Speaker: The question is about their original—I said to the leader, "Is it the revised pay package?" and he said, "Yes, the revised pay package."

*Interjections.*

**The Speaker:** Order.

It's called Hansard. The government House leader knows he will get a chance to answer the question and refute it. There was some disagreement. It's amazing how we can be across the aisle and hear two different things. The leader of the official opposition.

**Mr McGuinty:** Speaker, to be clear, is this my supplementary?

**The Speaker:** Yes, it is.



**Mr McGuinty:** All right. Minister, I take it from your response that you were unaware, as Minister of Energy, that on March 28 a prospectus had been filed which included among other things reference to this obscene and outrageous pay package. If I'm not getting this right, Minister, then you tell me, when did you first find out about this pay package and what specifically did you do?

*Interjections.*

**The Speaker:** Take your seat. Order. If people could settle down, the minister is going to get a chance to answer this. There's some difference of agreement. He's going to be able to, as he very well does, answer the question. I believe, if I'm not mistaken, there was about 10 seconds. Sorry for the interruption. If you could wrap it up, then we'll go to the minister. Leader of the official opposition.

**Mr McGuinty:** Minister, again, when did you find out about the pay package described within the prospectus filed on March 28 and what specifically did you do in response to that outrageous pay package?

**Hon Mr Stockwell:** I want to be very clear in what the original question was. I think it's only fair, because there's an allegation here about the question and the answer. When the original question came, I said to you, "I'm not certain if you're talking about the original pay package or the revised," and you said "Revised," and I found—

*Interjections.*

**The Speaker:** If the members remain cool, we could have the answer. The minister has the floor.

**Hon Mr Stockwell:** I would have been informed of the original pay package in one of my first briefings as Minister of Energy in the first week of getting the job.

#### HIGHWAY INTERCHANGES

**Mr John O'Toole (Durham):** I'm tempted to ask a question on energy, but my question is to the Minister of Transportation.

The minister will no doubt be aware of a unique partnership arranged between Durham region and the province of Ontario to build three interchanges on Highway 401 in Durham region.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry to interrupt the member. We're carrying on again. We'll allow you to start over.

**Mr O'Toole:** This question is to the Minister of Transportation. Minister, you're no doubt aware of the unique partnership arrangement between Durham region and the province of Ontario to build three interchanges on Highway 401. The partnership is a good idea, because two levels of government working together can build things faster and sooner, and preferably cheaper.

Unfortunately, the estimated costs have risen dramatically, as you know. Durham region council is concerned that the region may not be able to handle its new share of the funding arrangement. The two interchanges in question are at Stevenson Road in Oshawa and Lakeridge

Road in Whitby. The third interchange, at Pickering Beach Road in Ajax, is very much underway. I understand Durham region's share of its cost is estimated to be about \$29 million.

Can you please advise what steps are being taken to develop solutions that would let Durham region stay in the partnership and help the province and the region work together to build these interchanges?

**Hon Norman W. Sterling (Minister of Transportation):** I understand that transportation issues are extremely important to Durham region, because it's one of the fastest-growing areas in our province. Therefore, we entered into a number of agreements on these three interchanges.

Unfortunately, over the past number of years since that agreement was entered into in 1999, the costs have increased because of unforeseen problems with regard to the construction and design of those interchanges. We are looking—I must say, progressively—toward trying to work out with the region a kind of arrangement whereby they will not be using a substantial part of their overall budget, which I believe is about \$20 million a year, toward these particular interchanges. We unfortunately ran into difficulty. While their share has risen from \$18 million to \$29 million, our share has risen from about \$50 million to \$80 million.

**The Speaker:** Could we stop the clock, please?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Speaker: I just want to offer my apologies to the leader of the official opposition. I understand that when I said "revised," you said "original." I apologize that there was that miscommunication.

**The Speaker:** I thank the minister for that.

The member for Durham has a supplementary.

**Mr O'Toole:** Minister, I personally want to thank you in public for the co-operative way you have worked with the MPPs representing Durham in the meeting we had today to try to find solutions, so that one of the ministers could meet with the mayor of Oshawa later today. I'd like to thank you for your response. I appreciate the fact that you and your ministry staff are aware of the issues and have met with representatives of Durham region to try to find solutions.

Could you advise us of the timetable for construction of the remaining two interchanges, provided that both the region and the province are ready to proceed, and what advice could you give the other members from Durham to try to work co-operatively with Durham region's public works?

**Hon Mr Sterling:** I did in fact meet with all the Durham members concerning these particular interchanges, because they are important to all of them and to the economy of Durham region.

As mentioned, the Stevenson Road interchange could go ahead earlier if we are successful in acquiring some troubled acquisitions with regard to property around that particular interchange. However, it is expected that if we have to expropriate or go around the original design, we

will not be able to get into construction and design probably until 2003 or 2004.

The Lakeridge Road interchange with the 401 is presently under the EA process, the assessment process, and we will get along with it as soon as we possibly can. We're very thankful that Durham is working in partnership with us on these three important projects.

1500

## ONTARIO SECURITY

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Public Safety and Security. Last week you said there were sleeper cells in Ontario, and I'm going to quote you: "They were in Ontario. It was a sleeper cell, that's the term used by intelligence officials."

It turns out that there were no sleeper cells in Ontario, and here's what the director of CSIS said: "The term 'sleeper cells' is one which has a clear definition in the intelligence business. And I think it's unfortunate that definition isn't always understood by those who use the term." That's a nice way the director of CSIS has of saying that you, Minister, don't know what you're talking about. You don't know what a sleeper cell is. Not only can you not keep the secret secret, you can't keep the secret straight. What do you say to Ontario's trading partners and all Canadians who see that you don't know what a sleeper cell is and think that you don't know what you're talking about?

*Interjections.*

**Hon Robert W. Runciman (Minister of Public Safety and Security):** I think they want to hear a response to this but I'm not sure.

I indicated this morning in a scrum that what is really important with respect to the testimony by the head of CSIS is the areas of agreement with respect to the challenges we face in this country and that we cannot be complacent. Really, the testimony of the head of CSIS reaffirmed virtually everything we were saying. The member opposite wants to second-guess the OPP. That is not my role. We believe that the OPP are doing an outstanding job in coordination and co-operation with federal and municipal agencies across this country.

**Mr Bryant:** I'm not second-guessing the OPP; I'm second-guessing you. You don't seem to get it. We look like we're mismanaging the terrorist file. Your blunder directly compromises Canada's reputation amongst the international intelligence community. What you did is going to ensure that we are kept out of the loop. It must drive you bananas that George W. and John Ashcroft are going to be providing intelligence briefings to Vladimir Putin and Tony Blair but they're not going to go anywhere near Sheriff Bob, because you don't know what you are talking about.

So my question for you is, will you acknowledge that mistakes have been made, that lessons have been learned and that you're never going to do that, ever again?

**Hon Mr Runciman:** I will respond briefly to those cheap theatrics.

*Interjections.*

**The Speaker (Hon Gary Carr):** Sorry, Minister.

**Hon Mr Runciman:** The member opposite says that I don't know what I'm talking about. Those members who were in the House last week will, I suspect, vividly recall him standing on his feet as a lawyer and as a critic in this government, accusing a member of this assembly of breaking the laws of this land, and he has the gall to get up in this House and suggest that I do not know what I'm talking about. He is the epitome of ignorance.

**The Speaker:** Minister, you're going to have to withdraw that word, please. You're going to have to withdraw that.

**Hon Mr Runciman:** Withdrawn.

**The Speaker:** New question. The member for York—  
*Interjections.*

**The Speaker:** We'll just wait. The member for York North.

## TOURISM

**Mrs Julia Munro (York North):** My question is for the Minister of Tourism and Recreation. At the economic summit held with the province and the state of New York at the tourism summit in June 2001, this government initiated a formal relationship with the governor of New York state to encourage tourists from the Niagara Peninsula and western New York state to enjoy the attractions. What has the government done to promote Ontario-New York state relations to increase tourism and increase partnered marketing efforts?

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I want to thank the member for York North for her question. I wanted to share with all members of the House that about 31% of all the visitors to Niagara region are from the United States and predominantly from the shoulder states.

Prior to September 11, our government made a commitment to encourage economic relations and ties with the Niagara region in Ontario and the Niagara region and the Niagara frontier in the United States. This has netted us out some very positive results, both from an industry point of view and from tourism.

We have a joint marketing alliance that involves about 1,000 operators. We have a joint Web site. Quite frankly, it is a huge benefit for us to have our Ontario-based brochures in every tourism promotional kiosk throughout the state of New York, and we are getting results. Tourism is up with visits from New York and shoulder states into the Niagara region.

**Mrs Munro:** Thank you very much, Minister. Obviously from your description it's clear that the Niagara Peninsula is benefiting from this initiative. Clearly, then, by the statistics you've provided, the model is working well.

My question then is, does your ministry support any other initiatives of a binational marketing effort?



**Hon Mr Jackson:** Four years ago, we had no such binational agreements. In my previous responsibilities as Minister of Tourism, we developed one with the Great Lakes of North America alliance with all of the American states that border the Great Lakes, which are Michigan, Illinois, Minnesota, Ohio and New York. Ontario is the sixth contributing partner. We are globally selling the Great Lakes region. We also have a partnership in Kingston and Thousand Islands, with a \$100,000 investment which has increased tourism.

Within a couple of weeks, the Minister of Enterprise, Opportunity and Innovation will be leading a delegation in both Windsor and Detroit to establish a joint marketing opportunity for tourism as well as economic development with the state of Michigan.

We look forward to more positive results. It brings to a total of four these binational partnerships for the province of Ontario.

### HEALTH CARE

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. Today an important study appeared in the Canadian Medical Association Journal which proved that American residents face a higher risk of dying in a for-profit hospital. Apparently you dismissed the study's outcome, saying the situation doesn't apply in Ontario.

Minister, I think you purposely missed the point that the researchers made, which is that the drive for profit in the health care system does negatively affect the health of people. This is critical in Ontario, because your government has dramatically increased the role of the private sector in long-term-care facilities and has introduced private sector delivery of both home care and even cancer treatment.

Minister, in light of the very serious conclusions reached in the study, will you now admit that your fascination with private sector health care delivery is bad for the health of Ontarians?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member knows, or should know, that in the publicly funded, single-payer health care system which has been adopted in provinces throughout Canada, we have always had private sector deliverers of health care, such as doctors, in some cases dentists, in some cases nursing home operators, other medical practitioners and other deliverers of health. It is a single-payer system, and the payer is the government of Ontario representing the people of Ontario. But there are many different providers within the system. That has always been the case and, I suspect, always will be the case.

1510

**Ms Martel:** The point of the matter is that the outcome of the study was that the drive for profit in health care, driven by private health care providers, does negatively impact the health of people. In fact, the researchers said very clearly, "... whatever the context

within which they function, for-profit care providers face the problem of holding down costs while delivering a profit. One would, therefore, expect the resulting problems in health care delivery to emerge whatever the setting."

You seem bound and determined to increase the role of the private sector in health care. In fact, you told the Romanow commission that you want to pursue health care reforms to expand the proven partnerships which already exist between the private sector service providers and the publicly funded system.

In light of the serious conclusions reached in this study that for-profit delivery of health care leads to negative health outcomes, will you now agree that your fascination with private sector delivery of health care is bad for the health of the people of Ontario?

**Hon Mr Clement:** The report to which the honourable member refers clearly dealt with for-profit hospitals that hired doctors and nurses in a for-profit atmosphere. No one in Ontario, least of all this government, is proposing such a two-tiered scheme, so the honourable member is barking up the wrong tree.

If the honourable member is saying that the NDP policy is to nationalize doctors, dentists and every single purveyor of health care in our system, she should come out and say so and then we can have that debate.

### PRIVATE TUTORING SERVICES

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question to the Minister of Education. Minister, I want to talk to you again about the students who are struggling in your public education system in Ontario. I want to talk to you specifically about what is happening with private tutoring services.

We talked to about 80 of these locations. In 1995, they were serving 14,000 students. Right now, they're serving 29,000 students, more than double, and the private tutoring component has tripled. This group of students is one sample. Their parents are spending \$16 million to try to help them cope with your curriculum, your school conditions and the barriers you've helped to put in their way. It might surprise you to learn that the very people who are running these private services are saying you, the minister in this government, are responsible for the growth in their need.

I want to know what you'll say to the students out there—and some of them are here in the House today—like Sam Kerr, who have to pull money out of their own pockets to learn mathematics, English, the things that public education should be teaching them effectively.

Minister, are you prepared to do something this year to make sure that private tutoring services don't have to continue to grow here in Ontario?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I indicated yesterday, in response to a question the member raised on a similar issue, the issue of the curriculum, that it's important to remember that this curriculum has been developed in consultation with

secondary school teachers, curriculum specialists and people in this province. We are moving forward in a way that our students are going to be able to successfully compete and be prepared to go on to university, college or apprenticeship programs.

We have provided remediation money to help these students. I also indicated to you that we are taking a look at the challenges students are facing when it comes to the curriculum. In fact, yesterday I met with the president of the student councils in Ontario, the trustee representatives. We talked about this issue. We are looking to work with you and with the people in this province so that we can make sure we are providing the appropriate level of support to the students which they need to achieve success.

**Mr Kennedy:** Students are finding the way to succeed and it's costing them \$1,200. That's how much they pay to raise one grade in your Ontario while you pretend to be listening.

If you're hearing, Minister, then you're hearing what they're saying at some of these centres. Here's what Mary Ann Turnbull says: "If the hidden agenda of the Conservative government is to put education into the private sector, then they are doing a splendid job. As a supporter of public education, I really think that is a pity."

It's a pity when people like Mr Dino Aliferis, who is here with his family, open up a centre in my riding and today he's got 45 kids. He barely advertised and he is so full he can't take any more. Meanwhile our schools are going wanting for the lack of help for kids. The class sizes are too large. The curriculum isn't being worked with.

Minister, between grade 8 and grade 9 is a huge gap that you've known about for two years and that your predecessor knew about. So what people want to know, what the students want to know, is, do they have to continue to take money out of their own pocket to get into college or university or are you going to start to take an interest and announce something in time for them to get some help next year? Will you do that?

**Hon Mrs Witmer:** The member opposite doesn't seem to understand or be capable of listening. We have heard the concerns. We are responding to the concerns. We are meeting with the people who are prepared to work with us. But I would remind you that we have provided \$25 million in remedial programs for the students in grades—

**The Speaker (Hon Gary Carr):** I'm sorry to interrupt. Minister, take your seat, please. It's too noisy. We've got a couple more seconds to wrap up. Sorry for the interruption. Minister?

**Hon Mrs Witmer:** The member opposite can't seem to take yes as an answer. Yes, we understand the concerns. Yes, we have already taken action. I just mentioned to you that we have made \$25 million additional available in remediation support and we are continuing to work forward. But let's—

*Interjection.*

**Hon Mrs Witmer:** If you don't want to hear the answer, that's fine. Don't ask the question. You—

**The Speaker:** The minister's time is up.

#### LONG-TERM CARE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Associate Minister of Health and Long-Term Care. Minister, I know that some of the constituents in my riding of Bramalea-Gore-Malton-Springdale have concerns about an article printed in today's Star entitled, "Poor Wait for Long-Term Care, NDP Says." As I'm sure you're aware, the article went on to suggest that our government made changes to regulations regarding basic care versus preferred accommodations in long-term-care facilities. Could you please explain the changes our government made to the regulations governing long-term care and why these changes were necessary?

**Hon Dan Newman (Associate Minister of Health and Long-Term Care):** I'd like to thank the very hard-working member for Bramalea-Gore-Malton-Springdale for the timely question. Let's be clear. In the article that the member referred to it was the NDP that suggested that our government made regulatory changes regarding and affecting the basic versus preferred accommodation ratio requirements in long-term-care facilities. Quite simply, this is not the case. As a matter of fact, long-term-care facilities can provide a maximum of 60% of their beds in the preferred accommodation category.

The government of the day put this regulation into place, and incidentally the government of the day was the NDP, who introduced these regulatory changes in 1994. Prior to 1994 no regulation—no legislation—even existed compelling long-term-care facilities to provide a set number of preferred basic accommodation beds. Unlike the Liberals, who had no position on this in 1994, through this regulation the NDP thought it was important to protect the interests of the less fortunate. We agreed and that's why nothing has changed.

**Mr Gill:** Thank you, Minister, for that answer. The Toronto Star article suggests that our government has done nothing to ease the waiting list for long-term-care facilities. I know that our government is committed to providing 20,000 new long-term-care beds by 2004 and that on May 1 changes to the placement regulations for long-term-care facilities came into effect. Minister, for the benefit of my constituents could you please tell us about some of these changes and how they will address the problem of bed blocking?

**Hon Mr Newman:** Again, I thank the member for Bramalea-Gore-Malton-Springdale for the question. Let me first say that our government is committed to providing quality, sustainable long-term-care services in Ontario and we recognize that as the population grows there will be increased demands on long-term-care services. That's why we announced an unprecedented \$1.2-billion investment in long-term care that includes the construction of 20,000 new long-term-care beds.



That's a 35% increase in the number of beds available across our great province.

May I suggest that even while this investment is staggering and unprecedented in our province's history, what's even more staggering is that during their time in government neither the Liberals nor the NDP built one new net long-term-care bed—not a single one. In fact, on May 1 of this year, the changes to placement regulations for long-term-care facilities came into effect. For what reason? So that waiting lists would be shortened and the application process would be sped up. The waiting lists for placement in long-term-care facilities are managed by community care access centre case managers, who can best determine the level of care that their clients need. Our government wants to ensure that patients who need long-term care are able to get it and are able to—

**The Speaker (Hon Gary Carr):** The minister's time is up.

1520

#### MINISTRY SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Chair of Management Board. Do you think it appropriate for a minister of the crown to hand the taxpayers the expense for a round of golf?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** The ministers' handbook provides for reimbursement of expenses for ministers and their staff while on government business, provided the claims are supported by receipts and reasonable for locations where incurred.

We provide guidance to ministries in developing their policies. It's the responsibility of each minister to make sure that they're followed and are fair and the rules are adhered to.

**Ms Di Cocco:** Minister, I have in my hand a copy of an expense claim filed by Chris Stockwell. It's from the pro shop at the Royal Woodbine Golf Club in Etobicoke. It's for sporting goods—it could be for a round of golf or it could be for a dozen golf balls. It appears that the minister has inappropriately again expensed taxpayers for his other pastime. Considering the previous track record, will you ask the Provincial Auditor to review Chris Stockwell's expenses as minister from 1999?

**Hon Mr Tsubouchi:** I'll pass the question on to the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** At that point in time I was meeting with Mr Dillon, who is the union president for the building trades association. We had lunch at that time and I paid the lunch bill because it was a business meeting with respect to the building trades. If you had wanted to ask me beforehand, you could have asked me or you could have phoned Mr Dillon, who would have agreed that was in fact taking place, that we had lunch there—no golf, no golf balls, nothing involved. I'm beginning to understand what kind of person I'm dealing with now.

#### VICTIMS' RIGHTS

**Mr Doug Galt (Northumberland):** My question is directed to the Attorney General. In the throne speech the government committed to passing two pieces of legislation focused on protecting victims of crime. The first one is Bill 69, which would prevent criminals from profiting by retelling their crimes; the second is Bill 86, which deals with child prostitution. I know that victims' rights have been a major focus of our government and our initiatives have gone further than those of any other government. I also know that people in my riding care about what we do to help innocent—

*Interjection.*

**The Speaker (Hon Gary Carr):** Order. The member's own member is yelling. We'll just wait. We're almost done. I lost track of the time, too, so hopefully you're almost done.

**Mr Galt:** Thank you, Speaker. I'll just address my question. Minister, what will these new pieces of legislation mean to victims of crime, and what new supports will they put in place if passed?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member for raising this very important issue. Since coming to office, there has been a paradigm shift with respect to the role of victims through the court system. I will say to you that it wasn't that long ago that victims really had no voice at any stage of criminal prosecutions. That has changed. They have a very integral and important place in the system. These two bills will serve to enhance, to fortify, to solidify their place in the system.

In the case of Bill 69, dealing with literary proceeds, it will prevent criminals from profiting from their crimes. It will prevent victims from being revictimized. It will do that by returning any proceeds, any profit, that those criminals might derive, and that money will be paid back to victims.

In relation to the other bill that my friend referenced, it is rescuing children from sexual exploitation, a very important bill. It will give police and child care workers an extra tool to help those individuals in our society who are most vulnerable and most in need.

**Mr Galt:** Thank you, Minister, for the response. I know that our colleagues on the other side often try to criticize our record on victims' rights. In watching some of the debate yesterday afternoon, you'd think that we had done nothing for victims if you believed what the opposition was saying. It's a well-known fact that the opposition and the New Democratic Party are soft on crime. It's been their track record, particularly in that lost decade back in 1985-95.

In my view, the measure of success is how much you're doing for victims in need, how much you reach out to them and how you're willing to help them in difficult times. I know there has been a flurry of legislation on victims' rights in this House over the past seven years, and much of our time has been spent

debating those bills in the House and in committee. I personally have spoken to them a number of times.

Minister, what I'd like to know today is how much of that legislation has been translated into real action, and what services are available today that weren't seven years ago?

**Hon Mr Young:** Indeed there are now over 40 programs that are offered to victims, day in and day out, to people who unfortunately find themselves in a position where they are in front of the court or know of someone in front of the court or are the victims. Those services are available. As well, we now have programs that we spend in excess of \$140 million on to support victims throughout criminal proceedings. These programs include a victim support line, which, I should reference, has been expanded of late; the victim/witness assistance program, which operates throughout the province; as well as domestic violence courts, the number of which has been significantly increased over the past few years.

## PETITIONS

### AUTOMOTIVE INDUSTRY

**Mr James J. Bradley (St Catharines):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the auto industry accounts for approximately 50% of Ontario exports to the United States, supports another three or more jobs elsewhere in the economy, and contributes billions of dollars in tax revenues to governments; and

"Whereas the auto industry is the economic lifeblood of communities such as St Catharines, Oshawa, St Thomas, Alliston, Windsor, Oakville, Cambridge, Kitchener and Waterloo; and

"Whereas the auto industry has experienced job losses and seen challenges due to competition from industries in Mexico, the recent recession in the United States, and delivery problems at Ontario's borders; and

"Whereas the prosperity of the province of Ontario is dependent in large part on an auto industry that is competitive and dynamic; and

"Whereas select committees of the Legislature tend to be task-oriented and non-partisan in their deliberations;

"Be it resolved that the Ernie Eves government convene a select committee on the auto industry that consults with labour, business and the public in a timely fashion to address the challenges and opportunities that the engine of Ontario's economy will be facing in the future."

I affix my signature, as I'm in complete agreement with this petition.

### YOUNG OFFENDER FACILITY

**Mr Peter Kormos (Niagara Centre):** I have a petition, which states:

"Whereas the government of Ontario has pushed Kennedy House Youth Services (Uxbridge), an 80-bed young offender facility, out of the provincial public service and into the hands of a private sector employer;

"Whereas the new employer has shown complete contempt for the 130 unionized corrections services staff and has kept them locked out for almost a year ... while demanding outrageous concessions;

"Whereas, as a result of the lockout, provincial revenues are being wasted as the provincial government forces the taxpayers of Ontario to pay the Kennedy House operator full funding for the past year, as if this virtually empty facility were operating at capacity;

"Whereas the safety of the surrounding region continues to be compromised by the provincial government and by Kennedy House Youth Services as dangerous young offenders in need of supervision and secure custody are instead given passes or open custody;

"Whereas the few young offender inmates who remained in the facility since June 2001 were provided with little or no programming, thus raising serious concerns about their rehabilitation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the Minister of Community, Family and Children's Services act immediately to resolve this crisis by directing Kennedy House Youth Services to negotiate in good faith with its employees."

I have affixed my signature as well.

1530

### COLLINGWOOD GENERAL AND MARINE HOSPITAL

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario, which I'm reading on behalf of Jim Wilson and the citizens in his area.

"We, the undersigned, feel, with the current situation at the Collingwood General and Marine Hospital, namely the partial withdrawal of emergency department services, that the ministry's involvement is required to stabilize the operation of the local hospital to ensure it continues to meet the needs of the surrounding communities of the Georgian triangle.

"We respectfully ask that you undertake an immediate review of the governance structure of the General and Marine Hospital and appoint an interim supervisor to administrate and oversee the operation and development of the new governance plan."

I also delivered a letter to the minister, and this is on behalf of the citizens of Jim Wilson's area.



## HYDRO ONE

**Mr Michael Gravelle (Thunder Bay-Superior North):** I have an important petition to the Ontario Legislature.

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians to benefit will be Bay Street brokers and Hydro One executives"—we know that, Mr Speaker;

"Whereas selling Hydro One and the grid is like selling every 400-series highway"—highways up in northern Ontario—"to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halts the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I am very proud to sign my name to this.

## ONTARIO DISABILITY SUPPORT PROGRAM

**Mr David Christopherson (Hamilton West):** I have further petitions from the disability community.

"To the Legislative Assembly of Ontario:

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met, including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowance of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan);

"Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2002 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

I add my name to this petition as I am in total agreement.

## EDUCATION TAX CREDIT

**Mr Gerry Martiniuk (Cambridge):** I have a petition to the Legislative Assembly of Ontario.

"Whereas our society recognizes the rights of parents and students to be educated in a manner conforming to their beliefs and alternative methods of achieving academic excellence;

"Whereas freedom of choice is fundamental to a free and democratic society;

"Whereas the undersigned support the Ontario government's initiative to provide tax relief for tuition paid while attending an independent school; and

"Whereas thousands of students are currently enrolled in Ontario independent schools and both the opposition Liberal Party and NDP oppose this tax credit;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To maintain and support the policy of education tax credits for those attending independent schools while continuing a fully funded public system."

I sign my name thereto.

## CHILDREN'S HEALTH SERVICES

**Mr Richard Patten (Ottawa Centre):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the decision was undertaken by the Ministry of Health and Long-Term Care to remove pediatric cardiac surgery from the Children's Hospital of Eastern Ontario; and

"Whereas the centralization in Toronto of this life-saving surgery will place an excessive emotional and financial burden on critically ill children and their parents; and

"Whereas the centralization of pediatric cardiac surgery will jeopardize the health of children needing immediate surgery...."

There are a number of other "whereases," but I will move to the demand:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Premier of Ontario direct the Minister of Health and Long-Term Care to announce immediately the government's intention to keep pediatric cardiac surgery as close to home as possible due to the expertise and the ability to provide this regional service for critically ill children at the Children's Hospital of

Eastern Ontario and not to centralize the surgery in Toronto, and to keep 'Ontario's Promise' to the children of eastern Ontario."

I affix my signature to this petition as well.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

This petition is signed by thousands of Ontario residents. I agree with the petitioners and I've affixed my signature to it.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Tony Ruprecht (Davenport):** This petition is in regard to the very controversial issue of selling our hydroelectric system. It's addressed to the Parliament of Ontario and it reads as follows:

"We, the undersigned residents of Toronto, demand that the government immediately stop the process of privatizing our electricity transmission system, the network of steel towers, transformers and wooden poles which transmit power from generating plants to our homes, and further postpone the electricity deregulation process until the Ontario public is given proof that privatizing will not result in price increases, and place a moratorium on any further retailing of electricity until the Ontario Energy Board comes up with a standard contract to be used by all retailers; and

"That a standard contract spell out in clear terms that the residential users are waiving their rights to future

rebates in exchange for fixed rates over a specified period of time."

Since I agree wholeheartedly, I'll sign this document as well.

**Mr David Christopherson (Hamilton West):** I have a further petition from my riding of Hamilton West to the Legislative Assembly of Ontario.

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn full profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

I add my name to those of these petitioners.

1540

#### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):**

"To the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserved area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

Because I support this petition, I'm very happy to sign it as well.



## PRIVATE HOSPITALS

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the Ontario government has proposed that for-profit corporations build, design, finance, own and maintain the Brampton Memorial hospital of the William Osler Health Centre; and

"Whereas this incursion by for-profit corporations into public medicare is unprecedented in Canada; and

"Whereas very similar projects in England have resulted in huge cost increases that require, on average, a 25% reduction in health care staff and services; and

"Whereas the burden of any extra costs will, in part, fall on the local community; and

"Whereas Brampton deserves a hospital that is fully accountable to the public and not shrouded in commercial secrecy;

"Therefore we, the undersigned, call on the Ontario government to construct a fully public Brampton Memorial hospital."

This has been signed by hundreds of people who live in Brampton. It was sent to me by Ed Schmeler of the Brampton Health Coalition. I agree with the petitioners, and I have affixed my signature to it.

## OPPOSITION DAY

## COMPETITIVE ELECTRICITY MARKET

**The Acting Speaker (Mr Michael A. Brown):** Mr Hampton does not appear to be present.

**Mr David Christopherson (Hamilton West):** With the indulgence of the House, my leader is on his way. We just need a couple of moments, if you don't mind. He's just on his way up now.

**The Acting Speaker:** We could ask for unanimous consent for someone else to make the motion in his place. Do we have unanimous consent for—which member?

**Mr Rosario Marchese (Trinity-Spadina):** I will do that.

**The Acting Speaker:** Do we have unanimous consent for the member for Trinity-Spadina to place the motion? Agreed.

**Mr Marchese:** Shall I read the motion for the record, Speaker?

**The Acting Speaker:** Seeing that the leader of the third party is here, perhaps he would want to do it himself.

**Mr Howard Hampton (Kenora-Rainy River):** This is the NDP opposition day.

Be it resolved that this House declares unequivocally that the government should:

Abandon electricity deregulation and privatization in Ontario;

Set up a new system of accountable public power;

Shut down the so-called competitive market that was opened on May 1;

Cancel retail competition and free consumers from contracts signed with electricity marketers;

Ensure that no sale, lease or other privatization of Hydro One, Ontario Power Generation or the assets of either company, will take place;

Give the Ontario Energy Board the power to set electricity rates and approve or veto major generation projects by the major power provider;

Enact a legislative requirement that affordable energy conservation initiatives be given priority over new generation projects; and that when new generation is built, that renewable green power be given priority. Premier of Ontario.

**The Acting Speaker:** Mr Hampton has moved opposition day number 2.

**Mr Hampton:** It's very timely that we're debating this motion today because it's been disclosed that once again the government is fattening up the pockets of the people it has appointed to the executive positions at Hydro One, and we suspect in due time we will find they've done the same thing at Ontario Power Generation.

It's also timely because yesterday one of the government's principal supporters in terms of its direction, first of all, to deregulate our hydroelectricity system and then privatize it came out and said that the government has taken a major misstep, that it has put all Ontario consumers at risk of substantial hydroelectricity price increases this summer, not to mention shortages of hydroelectricity.

This resolution in the name of the New Democratic Party is very timely in that I believe it probably addresses an issue which touches not just all individual consumers across this province but also institutions like schools, hospitals and community centres, not to mention the major industries across Ontario.

Let me come right to point one, "Abandon electricity deregulation and privatization in Ontario," and let me refer to the comments of Mr Tom Adams yesterday. Mr Adams is the head of Energy Probe. As you know, Energy Probe is a lobby organization that has a particular interest in electricity matters. In fact, Energy Probe is, by and large, financially supported by a number of Bay Street corporations and the Donner Foundation, which as a body believes that virtually all public services should be privatized. So in terms of their philosophical position, Mr Adams and Energy Probe are generally very much in favour of privatization and deregulation. But he is saying that this government, because it is choosing to deregulate at a time when we face a potential serious electricity shortage, is essentially putting the consumers of Ontario in a position where they might see their electricity rates go through the roof, as they did in California.

California is instructive here because when the government of California decided to sell off their electricity system and deregulate the so-called electricity market, they believed they had about a 20% surplus in

electricity. However, they found out that after profit-driven corporations like Enron got their hands on the hydroelectricity network, Enron began shutting down generating stations to create an artificial electricity shortage and then used that artificial electricity shortage to force prices up, not two times, not just 10 times, but literally in the magnitude of 100. In fact, the Governor of California was on television about three weeks ago making the statement that California now estimates that California consumers were overcharged to the tune of \$31 billion for their electricity by the likes of Enron and some of the other profit-driven corporations—\$31 billion in two years, essentially between the spring of 2000 and the end of 2001. What an incredible financial boondoggle.

Tom Adams is saying, "If you look at what's happening to electricity supply in Ontario"—after this government has had its way for seven years, and now you look at their move to deregulate the market—"this looks very much like the setting in California." That's why he is concerned. One of the government's primary supporters is concerned that hydroelectricity prices could go through the roof this summer.

But that's not the only thing that's happening out there. We know that hydro consumers in this province are being confronted at the doorstep by electricity retail marketers who are, in many cases, providing misleading information, or in some cases are just outright lying to people, or in other cases we've had examples where they've forged people's signatures.

1550

I presented a private member's bill to this government last week that would have, among other things, allowed them to take some measures to protect the hydro consumers of the province, and the government's position was no, they're not interested in protecting the hydro consumers. The government's position is they're interested in helping their corporate friends out there, even if it means ripping off hydro consumers across this province.

When you combine all of these things, when you combine the fact, as Tom Adams says, that this government has set hydroelectric consumers up for the kind of gouging and swindling and market manipulation that we saw in California, and that it is not prepared to pass adequate consumer protection legislation, then I think someone has to step up and say, "Look, this has to be stopped," and New Democrats are saying that.

No matter where you look in the United States, whether you look at California, Montana, Pennsylvania, New York City, or you look at Alberta, there has been a history of prices going through the roof and consumers and industries being forced to pay billions of dollars more than they should. In California and Alberta, governments even had to step in and subsidize people, otherwise they would not be able to afford to pay their hydroelectricity bills.

I want to just mention a bit about privatization here. We can see in the last few days where privatization of

hydroelectricity is leading. Let's remember, this was the government that in 1998 passed the new electricity bill, a bill that carved up Ontario Hydro, created the new Hydro One, and then the government said to the Hydro One directors and executives, "Behave like a profit-driven corporation." What is the first evidence that they intend to behave like a profit-driven corporation? The first evidence is they want private sector salaries. The president of Hydro One, who was being paid about \$400,000 as a vice-president of the old Ontario Hydro, now, as the president of Hydro One, a smaller corporation, wants \$2.5 million in pay, \$175,000 for a car allowance and a \$1-million pension, and if she should decide that she doesn't like the colour of the government's policy or what the government is doing, she demands to be able to walk out the door and collect a \$6-million severance pay.

The government says this is protecting consumers. The government says this is imposing financial discipline. It's pretty clear this is nothing but the government looking after its corporate friends, its cronies that it put into the executive positions at Hydro One, and the government that is participating in the rip-off of Ontario consumers. That's what's going on here.

What is the trend line in terms of hydro privatization? The privatization document, the prospectus that was released on March 28, makes for very interesting reading. The government has been saying all along that its measures in terms of privatizing our hydro system will look after consumers. When you read the privatization document, in fact the focus of the corporate plan of a privatized Hydro One—and it says this in black and white—would be to create more transmission lines under Lake Huron, to expand the transmission lines into New York and Michigan, and then to buy up transmission systems in New England, in the US Midwest, and then make it easier to transmit electricity that is generated in Ontario into the more lucrative US New England and Midwestern markets. It says very little about serving the consumers of Ontario; it says everything about opening up the markets to the United States.

Well, here is sort of where that takes us. If it is the corporate strategy of the generation companies and a privatized Hydro One to market more Ontario electricity in the United States, that too will potentially create a shortage in Ontario. And the reason they want to market the electricity in the United States is that they can get a higher price there.

I've spoken with some of the people who work for these corporations. I've spoken with some of the people at Brascan, and they're very clear. They say, "As soon as we can establish a major export market into Milwaukee or Chicago or Detroit and we can get double the price we're getting in Ontario or 70% more than we're getting in Ontario, we're not going to sell the electricity for less in Ontario. If we can get a higher price in New York or Chicago or Detroit or Boston, then that's what we'll start demanding from Ontario consumers, the same much higher price."



I say to myself, how is that advancing the interests of Ontario consumers? How is that going to ensure that Ontario consumers have power that is reasonably priced, affordably priced? How is it going to ensure reliability or predictability of supply when the whole corporate focus of a privatized Hydro One would be to sell and transmit as much electricity as possible out of Ontario and into the United States?

The government says, "Well, that's not the strategy." What's important here is this: a prospectus is a legal document, based upon which people are supposed to spend billions of dollars. The penalty for putting a false or misleading statement into an investment prospectus is jail time—jail time. When the people put together the prospectus and the corporate strategy for a privatized Hydro One, I don't think they wanted to go to jail. I don't think they're telling us something misleading or false when they say their corporate strategy is to expand into the United States, build more transmission systems into the United States and transmit and market more electricity from Ontario into the United States.

The government says, "Even if that happens, we don't have to worry." They try to pretend that somehow they would be able to have a lower price in Ontario. Well, we wondered about that line of argument, so we New Democrats went out and asked a Bay Street law firm to provide us with a legal opinion on what would happen if you privatized generation, privatized transmission and started selling more electricity in the United States.

The answer came back that right now, because Ontario's hydro system is essentially run as a public utility, we're not subject to some of those NAFTA rules, because we run it as a public utility, just as Quebec is not subject to some of those NAFTA rules because they run it as a public utility, just as Manitoba Hydro is not subject to some of those NAFTA rules because they run it as a public utility. But the legal opinion we received said that as soon as you privatize and deregulate, you're caught by the NAFTA rules that say you can't have a two-price system, you can't sell your electricity for less in Ontario and more in the United States, you have to let the market decide what the price is. And if the market in the United States, in Chicago or New York or Boston, decides they'll pay double for the electricity, then that's technically what a profit-driven corporation could demand as their price here, and there's nothing the Ontario Energy Board or the National Energy Board or any other board or government could do about it. NAFTA says you have to let the market decide the price.

NAFTA also says you cannot control exports. The government couldn't step in after it privatized and deregulated and say, "Oops. We may have made a mistake here. All the electricity is needed in Ontario, so we're going to shut down the exports." NAFTA says you can't do that.

The government says they have their own legal opinions that say that's not true. I've said over and over again in this Legislature that if the government has a legal opinion that says NAFTA doesn't apply, a legal

opinion that says Ontario consumers would not have to accept a much higher American price, would not have to pay a much higher American price, if they have a legal opinion that says you can control exports after you privatize and deregulate, that you're not subject to NAFTA, I want the government to produce it. In fact, I have challenged the former Minister of Energy, the former Premier, the new Minister of Energy and the new Premier to produce that legal opinion.

1600

We have not seen any legal opinion from the government—none whatsoever. So I make that challenge here today. If the government believes that you can privatize Ontario's generators or privatize the transmission system, deregulate the system and then not be subject to the rules of NAFTA with respect to no two-price system or no control over exports, please produce your legal opinions. They haven't produced them, and the reason they haven't produced them is that they know their legal opinion says the same thing our legal opinion says. Once you privatize and deregulate, you're not going to be able to control price, you're not going to be able to control exports, and demand will essentially be established in the US Midwest and the US New England states. That's where much of Ontario's electricity will flow, and price will be established there too. That means the prevailing American price, which in many jurisdictions, many cities, like New York, is almost double the price here in Ontario, will become the Ontario price. Prices will double, and the government has not produced one study or one legal opinion that refutes that in any way.

The government says the reason they're doing this, and this is really important for people at home, is that Ontario's hydroelectricity system is in debt. Therefore, because it's in debt, you have to sell it off. I recognize that, yes, it's in debt, but I also want people to recognize that every hydroelectric utility in the world, whether it is publicly owned or privately owned, carries debt. That's the nature of this industry. It costs hundreds of millions, if not billions, of dollars to build generating stations. It costs hundreds of millions, if not billions, of dollars to build transmission lines and distribution lines. As far as I know, there's no one who carries around \$1 billion or \$2 billion in their pockets—no corporation, no individual. What normally happens in this industry, because it is so capital-intensive—and it happens in Europe, it happens in Australia, it happens in the United States, it happens in South America, it happens in Canada—is that when there is a demand for electricity, you build generating stations with borrowed money. You borrow the money to build the transmission lines and then you set your electricity rates over, say, a 30- or 40-year period, such that you can pay not only the operating costs but the construction cost and the debt financing cost.

In fact, that's a reasonable way to do it. Everybody who benefits from that electricity—I think we all agree that electricity is a huge benefit; if you don't have access to electricity, in many ways you're really shut out of the modern economy—not just this year, not just for the next

five years but for the next 30 or 40 years, ought to be paying some element toward the construction costs, some element toward the debt financing cost and also some element toward the operating cost. It's only rational to do that.

When the government says, "Oh, there's a debt in our hydro system"—yes, there's a debt in all hydro systems around the world. What really has to happen is that you look at the debt and then you need to look at what the assets are worth. In fact, if you look at the financial documents, again, legal documents put out by the Ontario Electricity Financial Corp, they will tell us that the assets are worth over \$18 billion. But they also tell us something else: that the hydro system, whether you're talking generation or transmission or distribution, raises billions of dollars of income every year. In fact, the dedicated revenue stream, which is dedicated to debt, comes to some \$13.5 billion. In other words, not only are they valuable assets, but there's a valuable income, a revenue stream. When you add up the value of the assets and the value of the dedicated revenue stream, your so-called residual debt is only about \$7 billion—\$7 billion in residual debt for what was the largest public utility in North America. Hardly an unreasonable sum; hardly unsustainable. So the so-called debt argument really doesn't hold water here—really doesn't hold water. Yes, there's a debt, but you can easily do the financial projections to show that debt could be paid in 15 years—certainly in 20 years.

So what is the reason? Why does the government want to pursue this? I think we've seen the rationale over the last six months. You don't see anybody from the public gathering in front of the Legislature saying, "Sell off our hydroelectricity system. Privatize Ontario's electricity system." No, the public is generally happy. In fact, the overwhelming majority of the public believes it should stay in public hands. They recognize that it's an essential public service.

Who wants it privatized? Overwhelmingly it's this government's Bay Street friends—its corporate friends. Why do they want it privatized? It's obvious: You can make a lot of money. You can do what Enron did in California. You can create a little bit of an energy shortage, a little bit of an electricity shortage. Once you've created that, you can force up the prices—not double, not just triple, but five and 10 times. You can do what they do in California: You can gouge people to the tune of \$31 billion in less than two years.

The people who were clamouring for the sell-off of our hydro system are the Bay Street investors, the very Bay Street investors who have contributed to the Conservative Party over \$1 million in the last four years. They want their payola. They want their money. That's why you see these letters in the *Globe and Mail* Report on Business and the *Star* business section and the *National Post's* Financial Post talking about how Bay Street wants it privatized. Bay Street wants it sold out because they stand to make a lot of money.

After the government got caught they created another phony argument. They said, for example with respect to Hydro One, that the transmission lines would need hundreds of millions of dollars of new investment. To check this out I went to the privatization prospectus to see what it said. I wanted to see where the plans were to invest hundreds of millions of dollars in maintaining, fixing and improving the transmission systems in Ontario, and I searched through the whole document and I couldn't find anything. Yes, there's a \$100-million plan to increase transmission into New York, there's a \$40-million plan to increase transmission into Michigan, what looks like a \$1-billion plan to put a transmission cable under Lake Erie, \$100-million plans to buy up transmission lines in New England and \$100-million plans to buy up transmission lines in the US Midwest, but nowhere was there a plan in the privatization document to make hundreds of millions of dollars of new expenditures in Ontario's transmission system. If it's not in the privatization document, if they don't consider it a strategic investment, then obviously somebody is not telling the truth here. But I know that the privatization prospectus would not say something that was untrue, because if it did, those who said it could go to jail. It must be the government who is somehow not giving us the full story here.

We know that electricity is essential. Electricity is more essential now for our economy and for people to participate in society than ever before. If you think about all of the computerization, all of the automation that has happened over the last 15 or 20 years, all of it is based upon electricity. If you think about it, your refrigerator wouldn't work without electricity; your stove wouldn't work; your lights wouldn't work; many people's heat would not work. You couldn't run computer systems without electricity. It's very clear that electricity is more essential than ever.

#### 1610

It's also very clear that at this time we should be keeping this essential public service in public hands where it is accountable, where it is transparent, where if somebody wants to raise their salary to \$2 million and \$3 million, it can be brought up here in the Legislature every day, not just three years later when the prospectus is finally produced.

This is absolutely essential for the people of Ontario. That is why we ought to keep it public. That is why we ought to keep generation public, we ought to keep transmission public and we ought to keep distribution public. That is how we can ensure some control over rates, how we can ensure that the rates continue to be affordable and reasonable. That's how we can continue to ensure that Ontario industries and Ontario consumers will continue to have a predictable and reliable supply of electricity when many other jurisdictions in North America and elsewhere in the world are suddenly rubbing up against electricity shortages, à la California, à la New York.



We consider this to be the most important economic and public issue of the day in Ontario. I say to the Conservative government, you've run into a number of fiascos already with your deregulation and privatization plan. Save yourself the pain and save, most of all, the people of Ontario the pain. Stop the privatization. Back off from the deregulation. Ensure that this vital public service continues to be a public service.

I would say to Liberal colleagues here—who five months ago were writing letters to Bay Street saying the Liberal caucus and the Liberal leader consistently were in support of privatization and deregulation, saying to those same Bay Street corporations that want to see hydro privatized, “Please send your \$350 cheque to the Liberal Party”—it's not too late for you to see the light as well.

Privatization and deregulation of generation, of transmission, of distribution makes no sense. We do not want to have another California; we do not want to have another New York fiasco, a Pennsylvania or a Montana. It's an essential public service, more essential now than ever before. Let's do the right thing for Ontario industries and Ontario consumers. Let's keep it in public hands.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I am very pleased to join in the debate on the NDP opposition day motion. It covers a number of areas and I want to look at them all in the context in which they're being put forth.

They're being put forth in a manner that is meant not necessarily to inform the public; probably more accurately to put fear into the public with respect to dealing with electricity in this province. I would say that the party opposite isn't really offering any solutions. What they're offering is in essence their conclusion in terms of how they see the electricity market evolving and what they feel is going to happen. It's really not based on any facts or concrete evidence—a lot of conclusions without any real basis.

The NDP resolution we're debating today is not about improving Ontario's electricity sector; it's about a patronizing and demeaning Big Brother attitude that the NDP brings to governing, which Ontario voters have rejected since 1995. They did have a moment in the sun with respect to governing and dealing with Ontario Hydro. I think the Minister of Energy and Environment today indicated that they were involved in solutions dealing with Costa Rica. I don't know how that would have benefited the electricity market in Ontario.

They dealt with Hydro One, formerly known as Ontario Hydro, by freezing electricity rates. That was their solution. What that resulted in was an insulation from the real market forces. Obviously, their solution was to put it on the back burner.

The leader of the third party wants to second-guess the decisions of thousands of Ontario electricity customers who have made a choice. He wants to cancel the contracts of all those people who have chosen their electricity supplier based on the price and service that best meet their needs.

Putting that in context, that's not the situation that applies in many parts of Ontario. For example, in my riding of Barrie-Simcoe-Bradford, people who deal with the city of Barrie and the town of Bradford-West Gwillimbury deal with Barrie Hydro. The people in the town of Innisfil deal with Innisfil Hydro. Nothing has changed since May 1, the date when the electricity market was opened to competition. Nothing has changed in terms of the users and the choices that the people in my riding have.

The leader of the third party is saying that we, as consumers, don't know how to exercise choice, that the government is better positioned to make a one-size-fits-all decision for all of us. On this side of the House, we reject that kind of thinking. We have confidence in their ability to choose their own electricity supplier. It is the same kind of decision we make when we renew our mortgages or decide who we want to deal with our television set in terms of videos, in terms of dealing with telephone service, or whether you want to rent a car. You can go on and on. If you want to deal with a mortgage, we choose between a lower variable rate that can change from month to month and a higher fixed rate that remains constant for an agreed number of years.

The irony of Mr Hampton's position today is that he wants to void the agreements that thousands of Ontarians have made. Yet, as Tom Adams of Energy Probe points out, fearmongering by the member himself may be directly responsible for a lot of those contracts. The leader of the third party has been running around Ontario for most of the last year telling anyone who would listen that the world was going to end when the Ontario electricity market opened to competition. If Mr Hampton wasn't the leader of the NDP, he could well be the retailer's number one salesman. As you know, the Ontario electricity market opened 28 days ago and the sky hasn't fallen. Nothing has happened except that for most of the last four weeks electricity prices have been 30% lower than the regulated price we all paid before May 1.

I know the air conditioning season is ahead of us and that electricity may cost those of us without contracts more in July and August. But I am confident, as is our government, that over the long term prices will be lower than they would have been had we not opened the market.

Rather than listening to fearmongering from the other side, we listen to the experts. I listen to people like York University economics professor Fred Lazar. He compared future prices under the old monopoly with forecasts of competitive prices. He says, “Even under the most conservative assumptions, Ontario's electricity consumers could save between \$3 billion and \$6 billion between now and the year 2010.”

I also look at studies like the recent CIBC World Markets report, which confirms what the government has been saying about the benefits of electricity competition. It says, “Opening our market is positive for consumers, for the Ontario economy and for investors.” The report

agrees that Ontario's market has all of the key ingredients to function smoothly, especially with respect to ample supply and a robust market design. CIBC concludes that, "The future of the Ontario electricity industry and the companies that can create and capture value in the market is certainly bright."

This Legislature will not improve Ontario's electricity sector by adopting the resolution before us today. If Mr Hampton and his supporters opposite want to help fix the problems of the past and secure a safe, reliable and affordable electricity system for the future, they should be looking for ways to strengthen competition. They should take a look at some of the positive suggestions that were put forward when the Minister of Environment and Energy, Chris Stockwell, went to every corner of this province and listened to what people had to say about the future of the Ontario electricity system.

1620

They should be suggesting ways for the government to deal with negative option renewals, a disturbing tactic being attempted by some electricity marketers. They should be suggesting how the government can better legislate to eliminate the few bad apples in the retail business who provide misleading information at the door, or they could try to make a positive contribution by looking at how we deal with the unfortunate instances of deceptive advertising. These are problems that damage our young market, and they must not be tolerated. The opposition would do well to consider how we resolve some of these real questions being raised by Ontarians about electricity restructuring. Taking away customer choice is not the way to improve our electricity system and reduce the debt.

To call for an end to competition, as Mr Hampton is doing, requires a short memory. It means you have to forget that the old monopoly was no longer working. You have to forget the \$38 billion in debt and liabilities that translates into \$10,000 for every electricity customer in the province. You have to forget that for most of the last decade, 35% of your electricity bill went to debt servicing. You have to forget the 94% increase in electricity prices that happened between 1983 and 1993. Only if you forget all these things can you begin to consider the resolution being advocated by Mr Hampton. For the rest of us who don't forget, we know that only a well-regulated, competitive market will allow us to escape the problems of the past and ensure a safe, reliable supply of affordable electricity into the future.

I think the Minister of Environment and Energy, in his statement to the House today, very clearly indicated what has been happening with Ontario Hydro. Since 1995, when we started consultation on reform—I'll quote from the statement by the minister today:

"It soon became clear that it would take more than yet another study of Ontario Hydro or a few team-building exercises, or worse, a massive influx of taxpayers' money, to fix Ontario's electricity sector. We knew that we had to rethink the entire sector from the ground up.

We consulted and listened and developed a plan for electricity restructuring in the interest of Ontarians.

"Much of that plan is already in place." The government "split generation and transmission into separate companies to create fairer, more focused competitors. We adopted provisions to mitigate and reduce Ontario Power Generation's market power, to strengthen competition and give consumers more choices." The government "restructured and refinanced the new companies to improve transparency and accountability."

That is what was done with respect to splitting generation and transmission. The next step in the plan was to ensure the continued viability of Hydro One Inc, which operates Ontario's transmission grid, without leaving taxpayers on the hook for the necessary investments.

After a ruling by the Ontario Superior Court, Premier Ernie Eves announced that the government would propose new legislation on the future of Hydro One. The Premier instructed the minister to hold a series of public consultation hearings throughout the province to gather input about that legislation. The minister wanted to know the views of the people of Ontario on the following four key objectives: first, to ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace; second, to ensure that the necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario; third, to bring market discipline to Hydro One, the province's transmission company, and to eliminate and prevent any possibility of the recurrence of staggering debt, such as the current \$38-billion debt, and other liabilities; and, fourth, to achieve those goals while protecting consumers.

I would say that the minister has taken action, and certainly the government has taken action, with respect to consumer protection. It has put in place a rigorous code of conduct that energy retailers must adhere to. The Ontario Energy Board will continue to regulate rates, regardless of who owns the wires. But the toughest standards and regulations possible don't mean a thing without a way to ensure compliance—that is, regulations without teeth. That is why the government has already increased the Ontario Energy Board's power to enforce those standards. Those powers include the ability to impose fines and even revoke retailers' licences, depending on the severity of the infraction.

Some people suggested that these changes are still not enough, and the government has heard those concerns. Certainly we've heard allegations with respect to forgery and allegations with respect to misrepresentation. Those types of retail practices don't fall within the civil section of consumer protection. They fall within the Criminal Code with respect to dealing with those types of actions. It's something the police would deal with in terms of—let's put it bluntly—fraud. That's fraudulent conduct in that area, which can be dealt with. That's not something that is limited to dealings in the electricity sector. That happens every day with respect to improper retail practices, whatever product you want to distribute. It could



even happen with respect to what you watch on television and all the marketing practices that happen there.

We have consumer protection laws that are in place to deal with certain types of marketing practices. We have the Sale of Goods Act, to deal with products that are not sold for the purpose for which they were intended. It provides statutory warranties to deal with the product that is out there. But if you cross over and deal with fraudulent conduct, you know that type of conduct is going to be governed and regulated by the Criminal Code.

The fact remains that in terms of consumer protection the government is listening. If there are other things that need to be done, the Ontario Energy Board is the body that's going to deal with those matters.

One thing you have to realize in my area, in terms of dealing with Barrie Hydro or Innisfil Hydro, is that when they want to change the rates or how they're going to operate—and they've just put different rates in place, which I received in the mail the other day—they have to go through the Ontario Energy Board to set those rates and to deal with their practices. That's something the public should know when they're dealing with a city-run hydro operation: they are subject to the Ontario Energy Board, and they're regulated in that manner.

So the public controls are in place to deal with consumer protection and also with the hydro industry.

**Mr Michael Bryant (St Paul's):** I'm going to be sharing my time with the member for Renfrew-Nipissing-Pembroke.

I listened to the leader of the third party's speech very closely. Most of the speech dealt with the NDP plan, and then right at the very end I have to tell you I was disappointed when Mr Hampton, the leader of the third party, took what I view as really an unfair cheap shot and suggested some kind of tollgating among the official opposition. I think it's unfair, I think it's a cheap shot and I think it's misinformation. As a result, my remarks are going to be a little bit different than they would have been had we simply been dealing with the case for the New Democrats.

I listened to what the New Democrats said. But that I could stall the movement of time and shrug off the errors of the past, clinging to an illusion of the past that the status quo on energy generation is OK—it's not OK. My great concern and the reason I cannot support my New Democrat friends and occasional compatriots on their opposition day motion is for the simple reason that this plan of making electricity in Ontario that is being put forward by the New Democrats cannot be sustained.

Let's be very clear: there is a very big difference between making electricity and transmitting electricity. It's like the difference between a hospital and an ambulance. The debate over the future of Ontario Hydro and of electricity in Ontario in the 1990s was about generation. It was about what had happened to Ontario Hydro and about how we make electricity in Ontario. I know that Mr Conway is going to spend some time talking about that, because he was there, and I'm only going to touch on it for a moment.

1630

The problem with the New Democrats' plan for making electricity is this: it is going to mean more debt for Ontarians; it is going to mean less made-in-Ontario electricity; it is going to mean more reliance on US electricity, which in turn is going to cost Ontario taxpayers. It is not a plan for the future. It is a plan that clings to an illusion of the past that may have come and gone, but it is not a plan that addresses the realities of electricity generation, of making electricity for Ontarians today.

It is, I have to say, a fairly easy position to take in this sense. It is very simple to tell people we're just going to keep it the way we think it was, the way we were. We had a bit of a discrepancy. The energy minister thought that the official opposition leader had said one thing; it turned out he had said another thing: "You say po-tay-to; I say po-tah-to." We would like to say, "Let's call the whole thing off," when it comes to Hydro One and the selling of electricity transmission. Would that we could put off the tough decisions on the future of making electricity, but we can't. We cannot. Any party that is serious about governing electricity generation in the future has got to face that stark reality and the sober lessons of what happened to Ontario Hydro in the 1990s.

The position that Dalton McGuinty and the Ontario Liberals take when it comes to making electricity in Ontario attempts to address that challenge. That means not promising things we can't fulfill. That means no pipe dreams. I fear what I hear from New Democrats is a pipe dream. It is the equivalent of the promise, the pipe dream, on public auto insurance which, it turned out, once they ended up in government, they couldn't keep. But I want to be non-partisan about this. I want to say that we don't want to take a position that's equivalent to promising to scrap the GST, also a mistake. Rather, let us articulate a position that in fact one can govern with.

I don't believe for a moment that the plan set forth in terms of electricity generation in Ontario by the New Democrats is one that can sustain a future of more reliable electricity in Ontario. That's why we can't support this motion. To achieve a reliable, affordable supply of power in the province, Ontario Liberals are for keeping Hydro One public. We're against a Tory privatization of electricity transmission. Ontario Liberals are for more consumer protection through the McGuinty electricity consumer protection plan. We are against the Tory bungling of consumer protection to date. We are for more made-in-Ontario electricity. We are against the New Democrats' prohibition of more green power through failed electricity monopolies of the past. We are for cleaner and greener electricity for all and against the New Democrats' prohibition through these old monopolies. We are against the increased reliance of made-in-the-US electricity. We want more made-in-Ontario electricity. That means stopping the monopoly and letting in cleaner and greener alternatives. That's the future of electricity in Ontario.

Ontario Liberals are for more regulation and tougher regulation of how electricity is generated, sold and transmitted here in Ontario and we are against what has really been Tory bungling of deregulation to date. We're for reducing Hydro's \$38-billion debt and we are against the New Democrats' efforts, in effect, to keep that debt growing. It's a sad fact; it's a sober fact. I don't think the New Democrats are going to admit that fact, but it's the reality. If we're going to reduce the debt, then we need to take this tough step. Granted, I want to add again—I can't say it enough—Ontario Liberals are opposed to selling off Hydro One. Privatization of Hydro One in any way, shape or form makes no sense. This has been caucused, I know, on the government side. We know, because Mr Guzzo shared the fact with us that it was caucused and rejected. We look forward to what the government is going to do on Hydro One.

But I don't think there are very many people in this House who don't go home to their constituencies and hear loud and clear from their constituents that they don't want Hydro One to be sold off. We don't want Hydro One to be sold off. The government tried to sell it off, illegally, it turns out. They had no statutory authority to sell off Hydro One. They tried to sell it off, and they were caught out. So now we are in the midst of enormous volatility within the electricity world in Ontario, and as a result, in fact, electricity generation is suffering as well.

I just want to touch on the sober lessons of Ontario Hydro in the 1990s. Let's face it, we're going to have to talk about failures by all three parties over the years. There's no monopoly on getting it wrong when it comes to dealing with Ontario Hydro. I think that has to be said up front. That's why in 1997 all three parties came together and they came up with a position that I think is ultimately defensible. Unfortunately, what happened between 1997 and the present is that one of those parties, which very clearly took the position that competition in electricity generation was not only the right route but the only route to go, has now changed its tune, and I'm talking about the third party, the New Democrats. I want to get into that right now.

The cost of electricity went up 40% while the New Democratic Party was the government of Ontario—40%. Inflation didn't go up 40%, electricity went up 40%. New Democrats added over \$5 billion to the stranded debt through non-utility generation, called NUGs. NUGs, these contracts, are essentially private power. The member for Sault Ste Marie knows something about private power, because electricity generation, transmission and distribution is all private in the member for Sault Ste Marie's riding, and I know he wouldn't want that changed. I know he wouldn't want that nationalized. So let's not make this an ideological argument about the wisdom of who ought to be delivering the service; let's rather talk about how best to provide Ontarians with reliable, affordable power.

Between 1989 and 1996, 1,200 tonnes of toxic metals were dumped into Lake Ontario. Ontario Hydro knew of these leaks but never informed Ministry of the Environ-

ment officials. It was a bombshell. Note: 1989 to 1996. All three parties were in power in this House between those years, 1989 to 1996. There is no monopoly over success or failure on this front. As a result, we had convened a select committee on Ontario Hydro nuclear affairs, as one reason, among others. I know Mr Conway will be getting into that.

Let's be clear. The New Democrats took the position that changes had to be made, that the status quo could not be clung to, and they were right then. The representative on the committee was Floyd Laughren, the member for Nickel Belt. Dr Grant was one of the deputants at one point, and he said, "If ... it appears that Ontario's marginal power needs can be supplied by a whole different set of technologies, then that would be the right decision to make." He said we need more technologies. Dr Grant said, "I think removing the public monopoly from the playing field is exactly the right move in the way of setting directions for those new investments." That's what he said, to which Mr Laughren said, "I can understand" that. The New Democratic member said, "I don't have a big problem with bringing competition into the system."

The New Democrats' position was, at the time I think, quite a responsible one, an accountable one. Floyd Laughren was speaking—it was really not only the right way to go, as I said, it was the only way to go, because in fact Ontario Hydro had run itself into the ground. Everybody knew that. Everybody knew that then and all three parties agreed that changes had to be made.

#### 1640

Mr Laughren later on was responding to Donald Macdonald, author of the commission report that made some of the recommendations that have been followed, and some of which have not, by this government. Here's what Donald Macdonald said: "We're asking for a leap of faith that indeed a market can develop here for this commodity, electricity, as it has for natural gas, and that in the long run we won't get the enormous cost overruns that we've had under the previous form of organizing the industry," to which NDP member Floyd Laughren said, "I'm prepared to accept that leap of faith."

That resulted in a report from the NDP caucus in December 1997. The select committee on the Ontario Hydro nuclear report of the NDP caucus stated, and I'll go right to the last paragraph, very clearly reflecting Mr Laughren's comments—this is the NDP caucus speaking: "We support changes to the way Ontario's electricity market is structured."

Again, we might not all have agreed on exactly how you would do that restructuring but we all agreed it was time to let go of this illusion of the past, that the dream of Adam Beck in fact needed to evolve because it had devolved in the 1900s and the status quo was no longer acceptable. All three parties agreed that we needed reform. Of course we wouldn't agree on the details and of course we have enormous differences with this government on electricity policy. We have irreconcilable differences when it comes to the sale or otherwise



privatization of Hydro One, but when it comes to the future of providing electricity, all three parties agreed that we needed to do it. It reminds me in some ways of the debate sometimes that all three parties have on health care reform. We may not agree precisely on how it takes place and we may have great differences, particularly around privatizing public services, but we all agree that it has to be done. My concern with the NDP plan that has been articulated by Mr Hampton is quite simply that it won't move forward, that it ignores and is a total reversal of the position taken by that party in 1997.

The point here is not to play "gotcha" with quotes. That is not the point, but clearly it was the position of the New Democrats—

**Mr Christopherson:** That's exactly the point.

**Mr Bryant:** No, it is not the point. It was the position of New Democrats in 1997 that in fact restructuring had to be taken. There's no "gotcha" there. That was their position. That was the position of all three parties. Now in fact what has happened is that it's not the position of all three parties. My concern is that hanging on to the illusion, as the third party is doing, is the wrong direction for Ontarians. I would say that this position at times could be backwards, could be irresponsible and could lead to more debt and less electricity. That's not the direction we ought to be heading in. It could lead to less generation of grain power, not more, and that's not the direction we want to be heading in. It could in fact lead to meaning in the long term, because of a greater reliance on importing electricity, more expensive electricity for Ontarians, and that's not the direction we want to be heading in.

I say in closing, because I want to share my time with the member for Renfrew-Nipissing-Pembroke, that Ontario Liberals support more made-in-Ontario electricity. We want more consumer protection. We want cleaner and greener electricity for all. Ontario Liberals want more regulation for the transmission, distribution and generation of electricity for all and Ontario Liberals support the reduction of Hydro's \$38-billion debt.

I will be sharing my time with Mr Conway.

**Mr Marchese:** I want to first of all congratulate the people who are watching this debate, because it's not easy to listen to all of us here in this place. It can be tough, on some listeners more than others; tougher, I suspect, when they have to listen to my friend Joe Tascona, who's reading most of his speech. Who would listen to anybody reading an entire speech for 20 minutes? I would turn off the channel right away. God bless those who stay on, watching in the hope they might find some speaker they can listen to for a while.

**Interjection:** You.

**Mr Marchese:** Some are looking forward to listening to me, and so I'm happy to have 10 minutes or so to be engaged in this discussion.

I thank the member for St Paul's. We're buddies. We live close to one another; we're very close. I thank him and others today for telling you how different we are. Often people say, "Why can't you NDPers and Liberals

get together?" I say, "Well, we're not as close as some of you think we are." The member for St Paul's is reminding you folks out there of our differences, and I thank him. And I thank as well all the other Liberals who have spoken and who will speak, who will point to those differences, because the public needs to know there are three political parties. We are different from the Liberals.

Michael Bryant from St Paul's made reference to a number of comments by a previous speaker. I want to remind you listeners what the Liberals have said. Even the member for St Paul's has often made reference to the Tories' flip-flopping, which is a trademark of the Liberal Party, if anything can be said about them. So for your pleasure, listeners, this is what the Liberals have said, as a reminder, in case you weren't tuned in the other day.

*Interjection.*

**Mr Marchese:** Michael, listen to this. You've seen the letter, "Energy Sector Reception for Dalton McGuinty."

**Mr Bryant:** That is ridiculous.

**Mr Marchese:** Listeners, Michael is unhappy with my raising this issue.

**Mr Bryant:** No. I'm saying it's a cheap shot.

**Mr Marchese:** Michael is saying it's a cheap shot.

**Mr Bryant:** And misleading.

**Mr Marchese:** Michael is saying, "Rosario Marchese is about to mislead you." I don't know, Michael. If I had said it, Speaker, you would have been up on your feet. Come on. That's OK. Not to worry.

Here is the letter that was sent by Richard King—oh, there's Sean Conway; I didn't see that you were there too. This letter says, "We are writing to invite you to a reception to meet Dalton McGuinty, leader of the official opposition.... Throughout Ontario's electricity restructuring process, Dalton and the Ontario Liberals have been consistent supporters of the move to an open electricity market in Ontario," and they invite you to a \$350 fund-raising event.

It's not bad. It's cheaper than some of the fundraisers you have for 500 bucks and certainly cheaper than the fundraising that Monsieur Jean Chrétien has for a thousand bucks. Three hundred and fifty bucks. Man, if only New Democrats could invite a couple of people who could pay \$350. It's really tough.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** You do all the time.

**Mr Marchese:** Sean, my fundraisers are \$35. I'm sad about my inability to raise the kind of dollars you guys raise—\$250 events, \$350 events, a thousand bucks. Who do you think goes to those events? Working Joe Smith? No. The kind of people who go to these events are the wealthy energy types these people are connected to. I'm the guy who's seen as being fond of saying, "Only Tories are connected to the big guys." The Liberals too, I argue often.

Michael Bryant said reading this into the record is misleading. I'm just reading for the record this letter that says—

**Mr Bryant:** What are you saying?

**Mr Marchese:** Michael, I know you are unhappy with this letter. It's inviting people—the same energy people—to a fundraising event, and it says, "We support deregulation of Ontario Power Generation."

Michael, that's what that letter says. Sean will correct me if the letter says anything different and/or if it's misleading in any way, because he's next.

**Mr Bryant:** What's your point in reading it?

**Mr Marchese:** To put on the record your position on deregulation, Michael.

**Mr Bryant:** You're making another allegation.

**Mr Marchese:** Please, Michael, you're tiring me out. Now you're tiring me. I know we're buddies, but now what you're saying is meaningless.

Here's another quote for your pleasure, Speaker, from Louise Elliott of Canadian Press: "Liberal leader Dalton McGuinty said privatizing [Hydro One] was the right move, but should have been done following an open debate in the Legislature." He said as much in another article from February 20, 2002.

1650

Michael often speaks about the flip-flopping of the Tories, which they do from time to time.

And, by the way, it is true. When they make reference to the fact that we made a promise in auto insurance and backed away, they're right. We did do that. I was one of the members in that caucus. I'm sure that my friend from Hamilton West, Christopherson, was on the same team, where we said, "We've got to maintain that promise." Others argued, "It's a recession. We can't afford the fact that we will lose up to 15,000 workers. This is not the time." We said, "This is the time." We lost it, it's true. We, the NDP—and I'm included even though I was in disagreement with that—did not go through with public auto insurance.

On the other hand, the Liberals have no shame when it comes to taking one position and then taking another. Quite clearly, Dalton here is saying, "Not only are we in favour of the deregulation of Ontario Power Generation"—which they call competition, not privatizing really. On the issue of privatizing Hydro One, Dalton says, "It's OK, but we should have had a debate." I presume the debate would have made a whole lot of difference in the scheme that was being proposed by the Tories. But all of a sudden, after the NDP taking a clear position against both the deregulation of Ontario Power Generation and opposed quite clearly to the Hydro One and the hydro lines, the Liberals decided after doing some polling that maybe they should change their position, and they have. So have the Tories, because after the court decision that was made that said you can't do it, the Tories all of a sudden, through the election of Ernie Eves, have realized, "Perhaps we're on the wrong track too, and we might need some time"—right, Steve Gilchrist—"to get re-elected and then bring back the issue once again. In the meantime, if we've got to do anything, we might even lease, as we did with Bruce B."

Leasing, as I pointed out—

*Interjection.*

**Mr Marchese:** Yeah, you like leasing, don't you, Mr Miller? Leasing has given the profit to British Energy of 157 million bucks. They were wrong in their projections, and all of sudden they made some money. By the way, Steve Gilchrist, that money they're making in profits doesn't come from the consumers. I guess it magically appears somewhere, but you good people aren't paying for that. It's not coming out of your pocket. The \$157 million they're making this year is coming from some presumed, non-existent consumer. You taxpayers aren't paying for that profit, somebody else is. If we lease the Hydro One transmission lines to somebody else, don't worry, they'll be making a profit but you taxpayers won't be paying for that.

In California, as I stated earlier—and the member for Scarborough East, Steve Gilchrist, the last time I don't know what his answer was to this—they went bust. Jim Wilson had a heck of a time after it went bust to just purse his lips and not make any reference to California whatsoever. It went bust, all the blood-sucking corporate sector that was involved in delivering that private energy to those poor suckers. The taxpayers got stuck with a bill of anywhere from \$12 billion to \$20 billion as a result of those corporate bums that Tascona loves, those corporate individuals, the ones who swindled the taxpayers of California. Then the government, the state, has to come back in, take it over again, and who gets stuck with the bill? Gilchrist, the member for Scarborough West, says, "Oh, it's not the taxpayer; it's somebody else."

You've got to love them. You've got to love Stockwell. He's a good soldier. Steve Gilchrist, the member for Mississauga West, is a good soldier too. They are good soldiers. I love to watch Stockwell here and others, the Minister of Energy. Every day they have this flippant attitude, this dismissive attitude, this hubris that overwhelms the member for Scarborough West, and overwhelms and overtakes the Minister of Energy as well.

They're so dismissive. They say, "Only the NDP is in favour of the status quo." The Liberals make the same claim. Why is the NDP in favour of this? Because we believe it's the right thing and we believe the public believes it as well. There is no outcry from the public—from you, public watching—saying, "We need to disrupt, we need to dislocate, we need to break this Hydro thing down because it's not working." I've never heard one single constituent in my riding say, "We need to change because the status quo isn't working," except for the Liberals, who are claiming the status quo isn't working, except for the Tories, who are saying the status quo isn't working. But the majority of Ontarians are saying, "Keep Hydro as it currently is. If you've got to fix it, you'll fix it, because we do not trust the private sector to fix it, because we will be hoodwinked, because we will pay the cost of giving the private sector the luxury of making money to produce hydro and to bring it to our homes."

We New Democrats have been quite clear: we want it in public hands. The Liberals and the Tories are trying to convince you otherwise. It's up to you to convince Liberals and Tories that that is wrong, and you've got to



tell them to stop before they go any further. You've got to send that message to them.

**The Acting Speaker:** Further debate? The member for Scarborough East.

**Interjection:** West. Mississauga West.

**Mr Steve Gilchrist (Scarborough East):** You got it correct, Mr Speaker. I was the member for three different ridings in the course of a minute, thanks to the member opposite.

Of course, we're hardly surprised at the passionate defence for this very poorly worded and misdirected resolution that's been brought forward by the leader of the third party. The Chicken Little of the Year Award is certainly due to Mr Hampton and all of his colleagues over there for the outrageous approach they've taken to what should be a good-news story in the minds of any reasonable person, in the mind of anyone who understands anything about the competitive marketplace and the law of supply and demand. They would know that the opening up of electricity to competition in the marketplace will guarantee greater supply. They cannot, they have not and I am sure they never will be able to stand in their places and cite one single product in the course of their entire lives where there has been an increasing number of vendors offering an increasing number of products, and the price has gone up. The price of course goes down. I know the sophistry and rhetoric, the hallmarks of what we hear from the other side, not facts. But let's just look at what has happened and let's keep this debate really timely.

On the day that we opened up the marketplace for competition, every consumer in this province, with the exception of the 100 largest corporations that had side deals, was paying 4.3 cents a kilowatt hour for base electricity. At noon today, I am pleased to tell you that the price that they were paying was 3.19 cents.

**Hon David Young (Attorney General, minister responsible for native affairs):** That's a lot less.

**Mr Gilchrist:** That would be a lot less. In fact, that would be well over 30% less. That is consistent with the pricing every single day since the market opened on May 1, fully a one third lower cost for power as a result of competition.

We've heard other things brought forward in this resolution. First off, the very suggestion that deregulation should be part of the debate here today is preposterous, it is offensive, it is misleading to the people who are watching this debate. The fact of the matter is, there are actually more regulations governing the electricity market in Ontario today than at any time in our party's history and at any time in any other party's history. The reality is, particularly in the area of consumer protection, the members opposite know full well they cannot stand in their place and cite one regulatory power that ever resided with the OEB or any other agency of the government or the government itself to protect consumers that is not in place today. What is in place are not only more regulations, but regulations that have been recrafted and rewritten to make them easier for lay people to under-

stand. We want to make sure that everyone knows their rights. Where there have been instances of retailers or distributors or generators that transgress the laws as they're already written, we will continue to close loopholes and continue to throw the book at anybody who tries to play games with the consumers in this province. There are already record fines established from the OEB using the rules that have already been given to them, the powers that have been given to them. You can rest assured that if we find those fine levels are not adequate to police, they will be increased.

1700

I also want to speak briefly to some of the other antics. I'm very disappointed that the last section of the resolution advanced by Mr Hampton appears to be a backdoor effort to try and raise in this chamber issues that were debated in the course of the work done by the select committee on alternative fuel sources. As many of the members will know, earlier today our House leader introduced a motion to extend the deadline that had been established for the tabling of the comprehensive and visionary report of that committee. The deadline has now been moved to June 6 for one very simple reason: to accommodate the translation of the report into French, the other official language. That motion was accepted by all members in the committee—all parties, all members.

When people now stand up here and take virtually the same wording that they proposed in that committee in a report that has been embargoed until June 6, I think it's showing great disrespect for this House. I would suggest to all members that if that's the game you want to play, then let's all take the gloves off. There is no doubt there are just as many people on this side of the House—and I will count myself among them—who contributed to that report and who feel passionately about the need to green the energy generation and use in this province.

I refuse to be lectured by the member for Kenora-Rainy River through this resolution, who would suggest that somehow turning back the clock would accomplish the aim of improving air quality and greening electricity generation. The fact of the matter is, it was as a result of our government passing the Electricity Act in 1998 that we now have the world's largest wind turbine in Pickering. It is a fact that as a result of that bill, we have an energy co-operative working with the city of Toronto, erecting another wind turbine on the waterfront in our city. It is a fact that as a matter of right, anyone producing green power—wind, solar, biomass, hydrogen fuel cells—now has the ability to sell their electrons into the grid. Mr Speaker, you of all people would know that prior to the passage of that important piece of legislation by our government, the only entity that had the right to transmit electrons around this province was that vaunted monopoly, Ontario Hydro.

So when the member opposite suggests that we turn back the clock and go back to the great old days of a monopoly that had no interest in consumer protection, no interest in consumer choice, no interest in fiscal responsibility, no interest in competitive tendering—in fact,

when they built nuclear plants they consistently built them for twice the price they were quoted by the manufacturer and designer, Atomic Energy Canada. Billions and billions and billions of dollars worth of debt are the legacy of the monopoly operation that the members opposite would have us go back to. It is outrageous and it's just not going to happen.

The consumers are so far ahead of you that you need a telescope to see them. The consumers have already figured out that whether it's buying motor oil or whether it's buying cars or whether it's buying toaster ovens or whether it's buying electricity, the greater the choice, the greater the supply, the more stable the prices and in fact in almost every case, the lower the prices. That will be the inevitable result of the opening up of our marketplace to greater competition on the electricity generation and distribution side.

The member opposite who spoke before me commented on how outrageous it was that as a result of doing the deal with British Energy to lease the mothballed Bruce nuclear plant and the generators that were still functioning up there—no thanks to Ontario Hydro—they'd actually be making a return on their investment. We understand, as does every other person living in this province between the years 1990 and 1995, that the NDP doesn't have the slightest idea what fiscal responsibility means, what running a taut ship means, because they were losing \$11 billion a year in the richest province, in the richest country on the face of the earth. They couldn't make this turkey fly. Well, we're soaring like eagles now.

To the members opposite, Bruce Power, British Energy, are making that profit because they have brought over new technology. They've made extraordinary investments. They have taken reactors that Ontario Hydro had written off and made them work and have made money as a result of that initiative, as a result of that intellect, as a result of the efficiencies that the private sector has brought to that operation.

On the other side, as a contrast, in Pickering, where Ontario Power Generation is still the landlord, the \$800-million quote to refurbish four of their reactors has now ballooned to well over \$2 billion and, once again, we found out a week or so ago that the most recent deadline is going to be missed by another six months. There could not be a more stark contrast between bloated, bureaucratic, inefficient, irresponsible management on the one hand, under the control of the public monopoly, and the innovative techniques being developed and utilized in the private sector. One would have hoped by now that OPG would have seen the writing on the wall and would be adopting the same sort of innovation that Bruce Power has been able to bring to bear profitably in their operation, and maybe they still will.

I know one of my colleagues wishes to comment about this resolution as well.

Let me just close by saying there is absolutely no better guarantee of a cleaner electricity sector than competition. There is no better guarantee of stable and

low-cost pricing in this province than competition. We know there are already 3,000 megawatts of privately built and funded power either already on line or in the works, more power than it would take to run one and a half Torontos, and no taxpayer is on the hook for one red cent of any of that new electrical generation. The fact of the matter is, as every one of those new generators comes on line, they will continue to drive down the price. At the same time, the creation of new green sources of power will give an option to people who care just as passionately about air quality as they do about electricity prices. They'll give them the option, give them a choice that no government has ever given them before.

That's why I will be voting in opposition to this resolution. Thank you for your attention.

**The Acting Speaker:** Further debate?

**Mr Conway:** I am pleased to rise and speak to this debate. I will certainly not be supporting the motion standing in the name of Mr Hampton.

I want to spend most of my time today talking about the substance of a very important and difficult question facing the Legislature, the people and the economy of Ontario. But I must note, in passing, some of the remarks made by Mr Marchese. Sad to say, he certainly tried to leave the impression that I personally could somehow be bought by the power interests. I thought I knew Mr Marchese a little better than that.

**Mr Marchese:** I didn't say that.

**Mr Conway:** You certainly left that as a very clear implication.

*Interjection.*

**Mr Conway:** I'm not going to go there but I am disappointed that you have been so vigorous in your implication of that. If that's the way it's going to be, I guess that's the way it's going to be.

I do remember how he and his colleagues wrestled with this issue when they were in government. I could take the really cheap and easy way to attack them and observe that when they were responsible, electricity rates went up 40%. When they were responsible, one of their CEOs was Marc Eliesen, and he was certainly looking after his own interests over there at the executive suite of Hydro One.

1710

I well remember both Bob Rae and Maurice Strong saying toward the end of the mandate, "Listen, folks, the paradigm for electricity policy in this province has got to change." Strong particularly, obviously with some measure of support from the esteemed NDP Premier of the day, was clearly pointing in a new direction.

My colleague Mr Bryant cited some chapter and verse of Mr Laughren, a distinguished member of this Legislature, who served with me and others in the select committee reference in the fall of 1997, as we looked at the deep troubles afflicting the nuclear power division of Ontario Hydro.

It was very clear, from what Mr Bryant rightly said about the fair-minded and thoughtful Mr Laughren, as to where he was in the fall of 1997, confronted as we all



were with the reality of what had been going on for too many years in the nuclear power division of Ontario Hydro.

I suppose I could also observe that Mr Strong, supported by his colleagues, as the nuclear power division was unravelling—it wasn't entirely the NDP's fault. The Liberal government, and certainly the Davis government as well, deserve some criticism for our role and our sins of omission and commission there. But when that was going on we had the NDP talking about purchasing forests in Costa Rica, I remember. It certainly was a diversion away from what was a ticking time bomb in the state monopoly that was then Ontario Hydro.

My friends are forever telling me about the fact that they're going to NDP fundraisers. Mr Hampton, and before him Mr Rae, and before him Mr Lewis, had a very active and successful campaign of raising hundreds of thousands and I think annually they raise over a million or two dollars of funds to support the good work of the NDP. There is a very powerful, effective and efficient union check off that gives the NDP annually a seven-digit figure, and good for them. But am I going to go around impugning the integrity of the NDP and their relationships in terms of policy and pecuniary interest with the sources of some of that money? I don't think that would be sporting of me and I don't think it would be fair-minded of me.

But I cite a disappointment when my friend the member for Trinity-Spadina tries to so awkwardly impugn my integrity. If he thinks, or if anyone thinks, that I am going to be bought off by the power interests or anyone else, let me tell you that he's sadly mistaken.

I will say, like my friend Floyd Laughren, having sat through the testimony in 1997, I concluded that it was simply not sustainable, the old policy we had all embraced. Having said that, I want to take this opportunity to articulate with some degree of, I hope, fairness and candour where it is Dalton McGuinty and the Ontario Liberal party are with respect to the electricity question.

It is absolutely true to say that we support a competitive market for the generation of electricity. Dalton McGuinty and I have said, and we said that night at our fundraiser and we've said repeatedly before and since that, since Ontario Hydro in the beginning was not ever intended to be a monopoly generator—something that most people don't seem to remember. In the beginning, Adam Beck's Ontario Hydro was a municipally built, provincially guaranteed in a financial sense, transmission company. That's what the original Ontario Hydro was.

For many decades thereafter, Ontario Hydro was primarily a transmitter, although it increasingly got into the generation business. But it was only after the massive nuclear commitment of the 1960s, 1970s and 1980s that effectively we became what we were never intended to be, namely a monopoly generator. There is no evidence to me today to justify the NDP's position that we should return to a monopoly generator. I don't want either a public or a private monopolist generating all of the electricity in Ontario.

I think a fair-minded person, having looked at the last 30, 40 or 50 years, would have concluded that you would want to inject some reasonable competition into the generation of electricity. Let me be clear: when I say "competition" I mean competition in many cases from public generators. The NDP would have you believe that competition must and only mean privatization, and on that critical point we fundamentally disagree.

We have scores of publicly owned municipal utilities in this province that have the capacity to generate electricity. I had one in my community for years. And what do we get from the provincial Ontario Hydro? An endless effort to put that local public generator out of business. And in the end they succeeded.

I want competition to mean that a lot of publicly owned generators are going to have an opportunity to build generation for their local and regional markets. Toronto Hydro, Ottawa Hydro, Thunder Bay Hydro and many others have indicated—not all of them necessarily, but many of them—an interest to expand their franchise in generation, or in some cases to get into it for the first time. When I talk about competition in generation, I intend a world where we have several generators, many of them public.

I do not hear my good friend the member from Sault Ste Marie standing up in this debate and saying, "Get Great Lakes Power the hell out of the Algoma district in Sault Ste Marie," and I know why. For nearly a century we've had a private operator up in the Algoma district, apparently doing not a bad job in serving the needs of Sault Ste Marie and environs. I don't think that has been altogether a bad thing for the people of that part of mid-northern Ontario.

We have in eastern Ontario Gananoque, a small community in the western portion of Leeds county where something of the same has occurred. We favour, in the Ontario Liberal Party, competition in generation, but by that we mean a competition often between several public generators, most of which are going to be municipally owned utilities. Orillia, for example, has an utility that today produces something like 25% of its local generation requirement. There are several others that I could name.

We do not, as Liberals, accept the argument advanced by the NDP that competition necessarily means, or has to mean, privatization. Dalton McGuinty and I and the Ontario Liberal caucus have made it plain: we are not interested in a sale of the legacy assets at Ontario Power Generation. We do not support the sale of Niagara Falls. We are not, any of us, going to sell, quite frankly, any of the nuclear power stations. The federal regulator basically told us that that was a very unlikely possibility.

But we have to ask ourselves this question. We are going to have to bring on-line thousands of new megawatts if we're going to meet the residential, industrial and commercial electricity demand of Ontario going forward. How are we going to do that? It's not going to be easy.

The government talks a lot about the debt. I think the Premier actually agreed today or yesterday that the

overwhelming majority, well in excess of 90%, of the stranded debt at Ontario Hydro has arisen because of problems in the generation section of the electricity business. I think it's important to note that. Over 50% of our cost in the electricity business, about 80% of our trouble and 90% of our debt is in generation. When we looked as a select committee five years ago at the generating division, virtually all of us came to the conclusion that we had some serious—in fact, in some cases some almost intractable—problems.

But that's the problem we have to solve. Like all members here, I agree that we've got to look much more creatively at bringing alternate sources of energy into the mix. Ontario Liberals said at the time of the electricity debate in 1998—we asked for, in the legislation, a renewable standard. We didn't get it. The government voted us down. We're going to return to that.

But make no mistake about it, my friends. Unless you mandate a renewable portfolio standard, meaning wind power and other renewables, and unless the federal government and to some degree provincial governments enrich the tax support for those propositions, they're not going to happen. Even when they are happening, they're going to come on-stream today at about twice the cost of your current power sources.

I'm for renewable power, but make no mistake about it, it's not going to be cheap in the early going. And I'll say something else. I noticed in the Wall Street Journal the other day an article about the Tennessee Valley Authority wanting to establish a wind farm someplace on the Carolina hills. Well, I'll tell you, they were run out of town pretty fast. It may be renewable, it may be less degrading than other sources of electricity generation, but there was apparently a fair bit of community resistance, and they have pulled back.

1720

As you drive east now on the 401, what do you see just at the end? You see that rather large, daunting windmill. It's altogether for show, quite frankly. That's one of the other reasons why I wouldn't support this resolution. I think it's important for government to set a standard and legislate a renewable portfolio standard, but we should then leave it to the utilities and others to meet those requirements. I'll tell you, we learned a few years ago that if you're going to ask a gargantuan, vertically integrated public monopoly like the old Ontario Hydro to do that business, you're going to have maximum cost and minimum gain. But even if it all goes well, you're going to have a fight on your hands. There are going to be windmills in places where people don't want them. Everybody expects they'll be some place over the next ridge, some place beyond Pembroke and North Bay, where nobody really goes, and that'll be the solution to your problem.

The member who preceded me made the comment about the marketplace. The marketplace is, in this particular respect, not going to be as much of a friend as you might like. Anybody who's looked at the electricity business observes a salient reality, namely, electricity is a

commodity unlike just about any other commodity. How? You absolutely have to have it and you can't store it. Because of its essentially critical and essential nature, it has a political punch and salience like none other, and everybody knows it. As much as you might like to take the politics out of electricity, good luck, particularly in a large province like ours, where you've got subarctic conditions for four or five months of most years; 2001-02 may be an exception.

I say to this Legislature, and I particularly say to my friends in the NDP, yes, we're going to have more demand management, more conservation. I agree absolutely. There are significant lifestyle implications that we're all going to have to accept. I'm not so sure that people who advocate this are fully cognizant of the implications. But we're all going to have to make some changes.

My question is, how are we going to meet the next generation requirement? Most of us in the last number of years have heard how the community has decided what we don't like. I happen to represent an area which has at least a half-dozen hydroelectric dams, big cement curtains draped across the Ottawa River at Rapides-des-Joachims or across the Madawaska River at Bark Lake or Barretts Chute or at Arnprior, generating hundreds of megawatts of electricity for our system. Do you know what? You couldn't build any one of those plants today, and if you could, it would be one hell of a fight.

So we're not going to have much more hydroelectric generation in southern Ontario. Apparently there's not much appetite for the nuclear option, and I understand why, although I have some views on that which might be more personal.

How are we going to do this? If you want wind, good, get ready to pay in the short and intermediate term twice the price for it, and that's if you can settle the environmental hassles if it's going to be in Bracebridge or going to be someplace in my part of the province. Wherever it is—

*Interjection.*

**Mr Conway:** Well, I say, my friends, we all laugh, but there are going to be more cottages built in Muskoka. Drive up 400. Drive anywhere in southern Ontario, the population's growing. Every one of those new houses is a new demand source for electricity. The population of Ontario grew by 6.1% in the last five years. Hopefully the economy is going to recover.

How are we going to do this, I say, particularly to my friends in the NDP. I'll tell you one of the ways you're going to do it, and you're going to be damn happy to do it. You're going to have broadly beneficial industrial cogeneration. And for that, you're going to want and require the active participation of industry, large and small, right across the province. You're going to want that for both generation purposes and for transmission purposes. That's going to be an important part of the electricity future of this province. That's not going to happen, quite frankly, under the policy framework outlined in Mr Hampton's resolution today.



I want to say something else to my friends in the New Democratic Party and I think it is important that my friend Mr Marchese listen to this and perhaps report this to Mr Hampton. The current stranded debt of the old Ontario Hydro is about \$21 billion. According to one of the independent analyses of this debt issue, and this one is done by Nesbitt Burns, a little over \$5 billion of that stranded debt has arisen out of the non-utility generation business. I say to my friend Marchese—I want him to hear this—of the current stranded debt of nearly \$21 billion, over \$5 billion has been assigned to what we used to call non-utility generation. Much of that is private power and much, though not all, of that was developed in the NDP's day.

*Interjection.*

**Mr Conway:** Listen. Not all of it, because some of it was done under the Tories and some of it was done under us. But it is a stunning figure to have before this House that over \$5 billion of the total \$21 billion worth of stranded debt is on account of the so-called non-utility generation that we committed to some years ago, and a lot of that was done under the Rae government for all kinds of good reasons. And that's, in the main, private power. When I hear the NDP saying, "Well, we don't believe in private power"—baloney, you don't believe in private power. You built and encouraged the building of a very substantial amount of what we used to call non-utility generation, but it is largely private power, and today we have a \$5.3-billion stranded debt on that account.

My only point in telling that story is that yes, the NDP supports private power. Howard Hampton was on a radio program in Sarnia not too long ago saying as much again, that he's not opposed to private generators being involved, and I will talk to him about that another time. But it is a salient point to observe that over \$5 billion of our \$21 billion worth of stranded debt is attached to non-utility generation, much of it is private power and much of it built under the Rae government. I will say this: it was the panacea of its time, not just here but in New York state and in a lot of other places. One of the problems with it is trying to graft local, private or utility generation on to the back of the big elephant of the vertically integrated monopoly. You just can't do it.

I say to my friends in the Conservative Party—the minister has joined us—the problem is a real one but the problem is in generation, overwhelmingly. Why are we selling Hydro One? The transmission business is good business. There have been some problems around investment, I accept, but those are largely the result of 10 or 15 years of every discretionary dollar being poured into the nuclear power division. Presumably that is now ameliorated to some considerable degree. When we look at the transmission company, the Ontario Liberal Party believes strongly that the electricity highway, the transmission company, should remain in public hands for a variety of reasons.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** There are capital infrastructure costs.

**Mr Conway:** Listen, according to the latest numbers, the latest financials from Hydro One, in the last couple of years they've been spending in the neighbourhood of half a billion dollars on capital upgrades to the transmission company, they're paying a variety of other new charges and they're still reporting a net income of \$325 million approximately, over two thirds of which is coming from the transmission company. There is no doubt in our mind that there is a very good public interest case and a very strong business case for keeping the transmission company in private hands.

The minister said earlier today, "You know, we've got the Macdonald report," and he's right. Do you know what the Macdonald report said? They basically said, on the distribution side, that under no conditions should you be allowing Ontario Hydro retail to expand its franchise in southern Ontario. The advice was absolutely declaratory in 1996, when this report was tabled.

1730

What has happened in the intervening years? Ontario Hydro One, against the very clear evidence of their own blue ribbon panel, went out and spent about half a billion dollars they didn't have to buy 88 utilities they didn't need, and they paid a premium price, in most cases, of between 25% and 35% to buy the bloody businesses. They bought Brampton Hydro, for example, at \$260 million, almost all of it with borrowed money, as purely a defensive play to stop Mississauga Hydro and Toronto Hydro, two public utilities in the distribution business, from reorganizing, hopefully, in some more efficient and creative way.

I repeat: Hydro One, under the nose of Mike Harris and Ernie Eves, went out and did precisely what they were told not to do and they did it with borrowed money and paid premium prices to make most of these acquisitions. In doing so, they have managed to confound and frustrate what everyone in this debate has basically agreed to for the last decade or more: that there needs to be an orderly rationalization of the distribution business in favour of many fewer, but larger, LDCs, local distribution companies, most of which are going to be public and, hopefully, most of which or all of which will be more customer-sensitive.

I want to conclude my remarks by saying today, who is looking out for the customer in this debate? Do you know what the reality is in the utility business? Everybody, particularly the special interests that are going to drive this, is going to want to get at, in the case of Ontario, the approximately four million residential consumers of electricity. If you can just get your hands on that group of people and dump more and more of the cost on them—individually it might be just a little bit—boy, you can really do some interesting and creative things for special interests.

Let's deal with the problems in generation sensibly, and will somebody in the government start seriously looking after the customers.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure today to join in the debate on the NDP's opposition day resolution to "Abandon electricity deregulation...; shut down the so-called competitive market...; ensure that no sale, lease or privatization of Hydro One, Ontario Power Generation or the assets of either company, will take place."

There are many good reasons that I do not support this resolution. One that comes to mind is debt. That's something the NDP doesn't like to talk too much about. I was glad to see the member for Renfrew-Nipissing-Pembroke raising debt and the contribution of the NDP toward that debt. The \$38-billion legacy of debt and other liabilities that were run up by the old Ontario Hydro before our government developed a plan to address this problem is certainly significant. That's \$10,000 for every electricity customer in the province. For most of the last decade it has represented about 35% of your electricity bill. Of course, you wouldn't be aware that it was 35% of your electricity bill because it wasn't labelled as such, something we'll be changing in the not-too-distant future.

The leader of the third party might want us to continue down the road of increasing debt, but most of us have had enough. We don't want to continue mortgaging our electricity use on the backs of our children. We don't want to see our tax dollars funding an inefficient electricity system. We want to see investment in priority programs like education and health, which all my constituents have told me are the priority items they would like to see our government concentrating on.

That is why we support electricity competition. It is our best guarantee of a safe, reliable electricity supply at competitive prices that promotes rigorous cost control, delivering power prices lower than we would have had under a continued monopoly.

The market opened on May 1. Prior to the May 1 opening, the regulated price was 4.3 cents per kilowatt hour. Since then, for the last 28 days, it has been around three cents per kilowatt hour—a huge reduction of about 30%. So far the competitive market is working very well.

When they were in government, even the NDP realized there were serious problems at Ontario Hydro. That is why they froze electricity prices, which had almost doubled between 1983 and 1993. Power costs went out the window under the NDP government and, yes, you heard me correctly: prices increased 90% from 1983 to 1993. That was when Ontario lost its competitive edge in electricity, which is so important for business in this province, so important for all individual residents and consumers.

When we were elected in 1995, our government continued the price freeze. It was no solution, but it helped to protect customers while we developed our plan to fix the electricity system. Our plan was the result of an open consultation process undertaken by the government. We began by asking former Liberal federal finance minister

Donald Macdonald to provide advice on how to proceed. After Macdonald reported, the government issued its white paper, *Direction for Change*. We established a stakeholder-led Market Design Committee to develop the rules for competition. Bill 35, the Energy Competition Act, was toured around the province by legislative committee before it was passed in 1998. There have been numerous other stakeholder committees established along the way as we restructured the electricity market. It is already showing results.

Private investors proposed and in some cases are building billions of dollars in new generation. I think at the opening of the market there was something like \$3 billion in new generation projects that were coming on stream; that was roughly 3,000 megawatts, which I believe is the equivalent of power for about three million homes. Of course, the competitive market for electricity opened on May 1. I know prior to that the leader of the third party was going around the province—scaremongering is the best way I can describe it—in his bus, openly repeating many, many times that prices would double, triple, quadruple at the opening of the market. As I already pointed out, what happened? The price went from 4.3 cents to three cents a kilowatt hour, a 30% drop since market opening.

All this is happening while the electricity sector is being regulated for the first time. Of course, one of the points in the resolution is to abandon electricity deregulation. Actually, what we're doing with the competitive market is bringing a lot more regulation into effect. We have strengthened the Ontario Energy Board, which licenses retailers and regulates prices and service levels in the monopoly transmission and distribution businesses. Regulation is very important in an open market, so we have two regulators. There's the Ontario Energy Board and there's also the Independent Electricity Market Operator, which ensures safety and reliability. It's very important to have strong regulation in a competitive market, and that's something we're implementing.

Mr Hampton still likes to talk about how competitive markets failed in California and Alberta. He won't acknowledge that these jurisdictions turned the corner quite some time ago. This past winter in California, the price for electricity was \$30 a megawatt—that's three cents per kilowatt—down dramatically from what it was a year ago. That is, of course, cheaper than the price that electricity was in Ontario at the same time. In Alberta, average prices for the commodity electricity have been below the regulated price in Ontario prior to the market opening as well.

The problem in both of these places was supply. Both California and Alberta opened their markets at a time of increasing demand with no new generation being built. But it didn't take long for investors to respond to shortages and begin building new plants. We do not have supply problems in Ontario. The IMO has said clearly that we have enough generation available to meet our needs for the next 10 years. That's critical: you have to have supply to keep the price down.



One of the points the NDP are making in their resolution is they want to "ensure that no sale, lease or other privatization of Hydro One, Ontario Power Generation or the assets of either company, will take place." We can compare the Pickering nuclear plant and the Bruce nuclear plant, which is being leased by British Energy. The British Energy Bruce nuclear plant has been a huge success story. They've brought reactors back on stream. I believe they're bringing another 1,500 megawatts on stream by 2003. It's being done not on the backs of the taxpayers, but through funding through the company itself. Even the 18,000-member-strong Power Workers' Union supports Bruce.

Then we look at Pickering and what's happening there. I think I just saw in the newspaper yesterday the news that Pickering, which was supposed to be bringing some reactors back on stream, is going to be delayed another six months. In fact these reactors were supposed to come back on stream in 2000 for \$800 million. What's the price tag now? It's over \$2 billion. I think that's a fair comparison as to why maybe it does make sense to lease a nuclear plant if it's going to result in more electricity, which is going to increase the supply of electricity in this province and result in cheaper prices for business and consumers in this province.

1740

Professor Marc Jaccard at the C.D. Howe Institute says there is a lesson to be learned from California, but the lesson is not to abandon restructuring and retreat to an expensive, inefficient and debt-laden monopoly. Professor Jaccard is the head of the energy and materials research group at Simon Fraser University and the former chair and CEO of the British Columbia Utilities Commission. He says we should not turn our backs on the benefits of electricity market reform, which is what the leader of the third party is asking us today to do. I notice the NDP doesn't mention the Ontario study by Professor Fred Lazar, showing that there will be a \$3-billion to \$6-billion saving for Ontario consumers by 2010.

Competition is working in many jurisdictions around the world. The leader of the third party mentioned Pennsylvania. In Pennsylvania, according to the Department of Revenue, competition has saved customers about \$3.8 billion to date and should create more than 40,000 new jobs by 2005. Savings to customers in the United Kingdom are about 750 million pounds a year, equivalent to about \$1.7 billion Canadian. This information comes from the UK regulator. In Australia since 1991, 11 years ago, market reforms have resulted in an average real price decline of 24%. Also noticeable is the productivity improvement in the electricity sector, about 11% since 1993.

Does the leader of the third party want the people of Ontario to pay a premium for their electricity prices? Does he not realize how important it is for business to succeed in this province to have the best competitively priced electricity? Mr Hampton spends a lot of time arguing that we in Ontario are going to end up paying American prices—I've heard him say that a lot—for our

electricity because of competition. He doesn't tell you that for much of the recent past, prices in Michigan and New York were actually lower than they've been in Ontario prior to the market opening. I think the prices in Canadian dollars this past winter of most of the competing states around us, from what I've seen, were around three cents per kilowatt hour, while we were paying 30% more: 4.3 cents per kilowatt hour in Canadian dollars.

That aside, healthy trade can be expected to keep prices in check on both sides of the border and help ensure reliability. During last summer's heat wave, Ontario and the US bought and sold power from each other to meet the demand during peak periods. Cross-border electricity flows are a fact, but Ontario's exports to the US are limited by the transmission capacity. Our interconnections can carry no more than 20% of our supply. In any event, neighbouring states are not relying on Ontario to meet their electricity needs. They are significantly increasing their own generating capacity. The midwest-Michigan region added 4,000 megawatts of power last year and has another 6,000 megawatts under construction. Each 1,000 megawatts, as I understand it, is about one million homes. The PJM, or Pennsylvania-New Jersey-Maryland, market has 4,000 megawatts newly operating or under construction. New England has 7,000 megawatts of capacity under construction. So there's a lot of supply out there. Of course we have Quebec on one side, with its cheap hydroelectric power, and we have Manitoba on the other side, also with cheap hydroelectric power. They are bidding their power into the Ontario market, helping to keep the prices down. All this new capacity is available to Ontario customers.

At the same time we have continued to protect our needs first when it comes to ensuring a reliable supply. For those who are interested, you can go on to the Web and check out the current price of electricity at [www.iemo.com](http://www.iemo.com). You can see what the hourly price is and how much electricity is being used in the province at any given time and what it's predicted to be for the day. As I say, most of the time it's been around three cents per kilowatt hour to this point.

A return to central planning in Ontario, as advocated by the NDP, would be a step backwards. It would destroy the retail market that we have created and return Ontario to the days of out-of-control electricity price increases and ballooning taxpayer-guaranteed debts. I certainly do not support returning to that, so I will not be supporting the resolution advocated by the member opposite today.

I think the news recently about the compensation at Hydro One shows us that—and I just noticed the Premier in the paper yesterday saying that recent revelations about executive compensation packages at Hydro One point to the—

**The Acting Speaker:** Thank you. This completes the time allocated for debate.

Mr Hampton has moved opposition day number 2. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1746 to 1756.*

**The Acting Speaker:** Those in favour of the motion will rise one at a time and be recognized by the Clerk.

#### Ayes

Bisson, Gilles	Hampton, Howard	Martel, Shelley
Christopherson, David	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	

**The Acting Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted	Gerretsen, John	Ouellette, Jerry J.
Baird, John R.	Gilchrist, Steve	Patten, Richard
Barrett, Toby	Gill, Raminder	Peters, Steve
Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Beaubien, Marcel	Guzzo, Garry J.	Pupatello, Sandra
Boyer, Claudette	Hastings, John	Ramsay, David
Bryant, Michael	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Ruprecht, Tony
Clark, Brad	Kennedy, Gerard	Sampson, Rob

Cleary, John C.	Klees, Frank	Sergio, Mario
Clement, Tony	Lalonde, Jean-Marc	Smitherman, George
Coburn, Brian	Marland, Margaret	Spina, Joseph
Colle, Mike	Martiniuk, Gerry	Sterling, Norman W.
Conway, Sean G.	Mazzilli, Frank	Stewart, R. Gary
Crozier, Bruce	McDonald, Al	Stockwell, Chris
Cunningham, Dianne	McGuinty, Dalton	Tascona, Joseph N.
DeFaria, Carl	McLeod, Lyn	Tsubouchi, David H.
Di Cocco, Caroline	McMeekin, Ted	Tumbull, David
Dombrowsky, Leona	Miller, Norm	Wettlaufer, Wayne
Dunlop, Garfield	Molinari, Tina R.	Wilson, Jim
Ecker, Janet	Munro, Julia	Witmer, Elizabeth
Elliott, Brenda	Murdoch, Bill	Wood, Bob
Flaherty, Jim	Mushinski, Marilyn	Young, David
Galt, Doug	O'Toole, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 8; the nays are 71.

**The Acting Speaker:** I declare the motion lost.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Brant	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac- Lennox and Addington	
Burlington	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Hoy, Pat (L)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Ruprecht, Tony (L)	Kenora-Rainy River	Gerretsen, John (L)
Davenport	Caplan, David (L)		
Don Valley East / -Est	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Wettlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel- Wellington-Grey	O'Toole, John R. (PC)	Kitchener-Waterloo	Beaubien, Marcel (PC)
Durham	Colle, Mike (L)	Lambton-Kent-Middlesex	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Eglinton-Lawrence	Peters, Steve (L)	Lanark-Carleton	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Elgin-Middlesex-London	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises		<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Erie-Lincoln	Crozier, Bruce (L)	London North Centre / London-Centre-Nord	Wood, Bob (PC)
Essex	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London West / -Ouest	Mazzilli, Frank (PC)
Etobicoke Centre / -Centre	Hastings, John (PC)	London-Fanshawe	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Etobicoke North / -Nord	Kells, Morley (PC)	Markham	
Etobicoke-Lakeshore	Lalonde, Jean-Marc (L)		
Glengarry-Prescott-Russell			

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

### **General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Al McDonald,  
Norm Miller, Michael Prue  
Clerk / Greffière: Anne Stokes

### **Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

### **Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

### **Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

### **Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

### **Alternative fuel sources / Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

# CONTENTS

Tuesday 28 May 2002

## MEMBERS' STATEMENTS

<b>National Access Awareness Week</b>	
Mr Parsons .....	379
<b>Oak Ridges moraine</b>	
Mr Gilchrist .....	379
<b>Long-term care</b>	
Mr Cleary .....	379
Mr Christopherson .....	380
<b>Grey county anniversary celebrations</b>	
Mr Murdoch .....	380
<b>Cardiac care</b>	
Mr Gerretsen .....	380
<b>Great Canadian Town Band Festival</b>	
Mr O'Toole .....	380
<b>Diane Kalenchuk</b>	
Mrs Marland .....	381

## MOTIONS

<b>Select committee on alternative fuels</b>	
Mr Stockwell .....	382
Agreed to .....	382

## FIRST READINGS

<b>Family Restroom Facilities Act, 2002.</b>	
Bill 57, <i>Mr Parsons</i>	
Agreed to .....	383
Mr Parsons .....	383

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Competitive electricity market</b>	
Mr Stockwell .....	384
Mr Conway .....	385
Mr Hampton .....	386

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr McGuinty .....	386, 390
Mr Stockwell .....	387, 389, 390
Mr Hampton .....	388
<b>Children's health services</b>	
Mr McGuinty .....	387
Mr Clement .....	388

## Ontario security

Mr Hampton .....	390
Mr Runciman .....	390, 392
Mr Kormos .....	390
Mr Bryant .....	392

## Highway interchanges

Mr O'Toole .....	391
Mr Sterling .....	391

## Tourism

Mrs Munro .....	392
Mr Jackson .....	392

## Health care

Ms Martel .....	393
Mr Clement .....	393

## Private tutoring services

Mr Kennedy .....	393
Mrs Witmer .....	393

## Long-term care

Mr Gill .....	394
Mr Newman .....	394

## Ministry spending

Ms Di Cocco .....	395
Mr Tsubouchi .....	395
Mr Stockwell .....	395

## Victims' rights

Mr Galt .....	395
Mr Young .....	395

## PETITIONS

### Automotive industry

Mr Bradley .....	396
------------------	-----

### Young offender facility

Mr Kormos .....	396
-----------------	-----

### Collingwood General and Marine

<b>Hospital</b>	
Mr Murdoch .....	396

### Hydro One

Mr Gravelle .....	397
-------------------	-----

### Ontario disability support program

Mr Christopherson .....	397
-------------------------	-----

### Education tax credit

Mr Martiniuk .....	397
--------------------	-----

### Children's health services

Mr Patten .....	397
-----------------	-----

### OHIP services

Ms Martel .....	398
-----------------	-----

### Competitive electricity market

Mr Ruprecht .....	398
Mr Christopherson .....	398

### Doctor shortage

Mrs Dombrowsky .....	398
----------------------	-----

### Private hospitals

Ms Martel .....	399
-----------------	-----

## OPPOSITION DAY

### Competitive electricity market,

opposition day number 2,	
<i>Mr Hampton</i>	
Mr Hampton .....	399
Mr Tascona .....	403
Mr Bryant .....	405
Mr Marchese .....	407
Mr Gilchrist .....	409
Mr Conway .....	410
Mr Miller .....	414
Negated .....	416

## OTHER BUSINESS

### Visitors

Mr Murdoch .....	381
------------------	-----

### Bill Wilkins

Mr Runciman .....	382
Mr Ramsay .....	382
Mr Kormos .....	383

## TABLE DES MATIÈRES

Mardi 28 mai 2002

## DÉCLARATIONS DES DÉPUTÉS

### Services de santé pour enfants

M. Lalonde .....	381
------------------	-----

## PREMIÈRE LECTURE

### Loi de 2002 sur les installations

sanitaires familiales, projet	
de loi 57, <i>M. Parsons</i>	
Adoptée .....	383



CA20N  
XI  
- D23



N° 10B

No. 10B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 28 May 2002**

**Mardi 28 mai 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 28 mai 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### HERITAGE HUNTING AND FISHING ACT, 2002

#### LOI DE 2002 SUR LA CHASSE ET LA PÊCHE PATRIMONIALES

Resuming the debate adjourned on May 27, 2002, on the motion for second reading of Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche.

**The Acting Speaker (Mr Michael A. Brown):** The member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** I am most pleased to have this opportunity to debate this bill, and I'm sure the government members are waiting for just that. But before I start, I want to ensure that we have a quorum in the Legislature. Could you count for a quorum, please?

**The Acting Speaker:** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is present, Speaker.

**The Acting Speaker:** The member for Timmins-James Bay.

**Mr Bisson:** Two walked in at the very end, as I was saying that.

As I was saying, I was most pleased tonight to get an opportunity to speak to this for an hour. This bill was introduced in the Legislature, I think, in November of last year. The date was November 15, if I remember correctly, when they introduced this bill and told anglers and hunters across Ontario that this was the bill of bills that was going to be there on behalf anglers, to give them all kinds of rights they didn't have, and how important the bill was.

There is only one problem: the government never intended to have this bill pass last year. In fact, they never called it. The government has a majority in the House. If they thought this was such a priority, they would have been able to call this bill before the House for debate at second reading in the fall of last year. The government

could have chosen to do that. It could have chosen to deal with committee at that time and could have passed this bill before Christmas.

Instead, the government failed and did not call this bill, and I think the reason is very simple. This bill, and particularly what I will speak to later, doesn't do a heck of a lot to enhance the rights of anglers and hunters across this province. I will argue that in fact it does not. The government was basically trying to give a "sod off" to the angling and hunting community because of the various attacks this government has had on that community over the past six or seven years. So the government introduced the bill and didn't call it. The interesting part is that the Liberals got caught inside the game, and all of a sudden they became somewhat entangled in, I would say, this semi-strategy the government had to try to pass this bill without any debate in the Legislature by way of unanimous consent. At that particular time, other members of my caucus and I did not agree that this bill should go forward without any debate, for a couple of very basic reasons.

The number one reason is that we have a legislative duty in this House, as elected representatives in the Legislature, to debate bills and bring forward issues as they are presented to us by our constituents in our ridings or within the greater constituency we represent in the province of Ontario as critics or ministers or PAs or whatever it might be. Failing to bring those issues and concerns or support that various people may have on a bill and to have an opportunity to properly debate and then propose amendments in order to deal with the bill, I think, is quite frankly not becoming to us, because it means we don't take our responsibility here seriously.

I want to tell you that as New Democrats, we do, and for that reason we said no to unanimous consent last Christmas. We believe there are amendments that need to be made to this bill. We had to have adequate time to debate it and adequate time to send it to committee, so that people who are opposed to it or people who are for it have an opportunity to speak to the details of the bill and, at the end of the day, for members of this assembly to be able to propose amendments based on those consultations at the committee level or others we would have made. So my caucus and I were not prepared to play the game that the government was playing with the Liberal caucus, and I believe we were right.

In fact, on a number of occasions last winter I participated in various forums put together by anglers and hunters, mostly in northern Ontario and some in central

Ontario, as well as some radio talk shows on a few occasions. When people understood what we were saying as New Democrats—at the end of the day, like or dislike this bill, the point is it doesn't work, it doesn't do what the government purports to do in the bill. The government says they are going to enshrine some kind of right to hunt and fish for anglers and hunters. It does nothing of the sort.

#### 1850

We want to make sure we have a debate about that. We've pointed out to the public that in fact this is nothing but a game on the part of the government to say, "We love anglers and hunters." In fact the bill does nothing to assist anglers and hunters in Ontario. There need to be some serious amendments made to this bill, which I will speak to in a few moments.

Let me deal with the first amendment we want to bring forward before I start on the critique of the bill. One of the issues we need to deal with is how this bill impacts on First Nations communities. I represent the riding of Timmins-James Bay, where the largest portion of the geographic area of my riding is traditional territories of the First Nations people, mostly Mushkegowuk people from the northeastern part of the province, as well as a few other tribal councils like Mattawa and Wabun. Also in ridings such as Mr Hampton's and in the ridings of Nipissing, Sudbury and others, there are very large and important parts of those ridings that are made up of First Nations communities.

One of the concerns that has been brought to me, and I'm sure has been brought to other members, is, does this bill in any way, shape or form infringe on aboriginal hunting and fishing rights? When I sat down with the ministry and had the briefings before this bill came before the Legislature, I asked the MNR staff specifically, "Does this bill negatively affect the right of First Nations communities to hunt and fish?" The answer I was given was no. I tried to rephrase it in a whole bunch of ways to make sure that might be the case. In every attempt I made to raise this issue with ministry officials and, I would add, some of the political staff of the then minister, Mr Snobelen, I was assured time and time again that this bill in no way, shape or form was going to affect negatively the aboriginal right to hunt and fish in Ontario.

Now my problem is, I've gone out and consulted. I've talked to people of the Mushkegowuk Tribal Council. I've talked to people at the Nishnawbe-Aski Nation level when they met in Timmins and also when I was in Thunder Bay. I spoke to the chiefs of Ontario. In fact, I spoke directly to Charles Fox himself. They have some very serious concerns about the language in the bill, which they view as infringing on their right to hunt and fish. Certainly the government is not purporting—and this is a point I'm going to ask whoever the PA over there is. Can the MNR PA wave their hand, whoever they are? I'm sure he's watching on television or something. It's Mr Stockwell himself.

I want the members of the government to respond to this question at the end of my portion of the debate: are you prepared to accept an amendment that would basically say that in no way, shape or form would First Nations' rights to hunt and fish be affected, in other words, do a non-derogation clause, as we did? When we brought in legislation, as government, with Howard Hampton, who was then Minister of Natural Resources, we introduced what was called the Sustainable Forestry Development Act. At that time, we said to the First Nations community, "This will not negatively impact upon you." They said, "We don't trust you. We've been rolled over too many times by governments of European descent and we don't trust what we're being told. We need better assurances." We said, "Listen, it is not our intent to impose on your rights. We will put a non-derogation clause in the law." We did that in the Sustainable Forestry Development Act, to be quite clear that the government's intent in passing the Sustainable Forestry Development Act in no way, shape or form would infringe on the rights of individuals of First Nations communities or aboriginal people who have an inherent right to hunt and fish in Ontario by way of their treaties.

I'm asking the government very specifically—it's one of the amendments I want to bring forward when this bill goes to committee, and I assure you we will force it to committee—will the government support an amendment that simply says there is a non-derogation clause put in the bill that says it will not negatively impact the right of First Nations communities to hunt and fish? That is one of the issues we want to have clarified. I was told originally by MNR that it wouldn't, the same way I was told by MNR when we did sustainable forestry development. We were assured at the time that in fact it would not affect them, but I want an assurance by way of an amendment that's put in the bill that does that.

I just want to read one of the many legal opinions I've received from various First Nations people and organizations on this particular issue. I'm just quoting here from one of the legal opinions they got. It says that the bill treats recreational hunting and fishing as a significant provincial priority. There is no explicit comparison in the bill with the constitutional priority of the First Nations' harvesting. In other words, nowhere in the bill does it refer to the harvesting rights of First Nations individuals who have treaty rights. They go on to say, "However, the bill raises a possible concern with the ordering of priorities." What they point to is the Sparrow decision of the Supreme Court. They say that cases like Sparrow have been cleared, that the number one priority is conservation, followed by aboriginal food harvesting. In the constitutional sphere, non-aboriginal recreational harvesting is down the list, so to speak. The bill may give others ammunition to question this ordering of the priorities.

They go on to say throughout this particular document that once you try to say in a bill that somebody has a right—and I don't think the right amounts to anything as I look at it, but the argument could be made by someone in future years that because the Conservative government



in 2002 said somebody has a right to hunt and fish provided they follow the law—which means nothing in my view—some could construe the word “right” to mean that at the end of the day the Legislature intended to elevate the rights of certain people within the province of Ontario to hunt and fish. By doing that, does it adjust in some way the ordering of rights of individuals when it comes to the right to hunt and fish? The First Nations communities are saying they fear that may be the case.

I want to send you another message directly, and you better get this one straight. Speaking to the Chiefs of Ontario and speaking to Charles Fox and speaking to people from the Mushkegowuk territories and speaking to people from the NAN territories, Mado and Matawa, the Wabun territories and others, they're telling me they're prepared to take you to court on this. They don't buy what the ministry has told me and what I've conveyed to them. I've said to them, “No, this is not going to affect your right to hunt and fish,” and they're saying, “We don't trust it. We don't believe it. We're going to take this to court if the bill does pass.” So I'm saying that to avoid all that, all you have to do is accept a very simple amendment that, at the end of the day, says that you're going to have a non-derogation clause within the bill.

The second thing I want to speak to with regard to the First Nations' concern is the other issue, which is the larger one. You know as well as I do—those who have been involved in this area for a while—that First Nations people have been asking the government for many years to be able to be involved in the process of managing fish and wildlife in the province of Ontario, and also resources, which will be spoken to at another debate. They have been after this government to basically say, “Listen, we want to have a hand in being able to manage fish and wildlife on our traditional territories.” They feel, and rightfully so, that they had done that for thousands of years before. They had never had any problems before. There was always a sustainable catch when it came to hunting or fishing, from their perspective. Quite frankly, in some areas, this has been put at risk. They're saying they would like to have a hand by being able to participate in the process of managing hunting and fishing in the province of Ontario in what they consider their traditional territories.

This government has absolutely refused that. But what irks them is that the government, by way of this bill, then says in section 2 that a commission would be established in order to give the angling and hunting community a voice in being able to assist the minister, if the minister should choose—and that's why I think that doesn't mean anything, but that's another story—to give advice on hunting and fishing policies in the province of Ontario. Well, if you're prepared to do that for the rest of the population of the province of Ontario, why have you been refusing that to First Nations who have been asking for this for some time? They have said, “We want to have a hand in managing and overseeing and making sure that things are done properly in our forests, lakes and streams

in traditional territories” that they claim. The government has said, “No, we know best. MNR's responsibility is to take care of all that. Nope, don't come and talk to us. That's not something we're prepared to give you.”

On the other hand, you have to be somewhat frustrated if you're sitting at Attawapiskat as a First Nations person. Then you find out when your provincial member of Parliament comes by and says, “By the way, did you realize this legislation is there?” as I've done through all other areas in my riding. They say, “Why are they setting up this commission when they've been refusing us something similar we've been asking for for some years now?”

So I'm saying to you, you've got some upset people over that who are saying, “Are there two different classes of people in the province of Ontario?” Is there one class of person who says if you're not from an aboriginal community, it's OK to sit on this commission and quite all right to give the government advice—and I see government heads nodding. I hope that's not the case. I hope you were just talking with each other. I can't believe the government would actually want to propose that, because I would argue quite frankly that is not a very healthy policy. I hope that was just somebody not paying attention to what was going on.

#### 1900

The issue is that they're saying, “We've been asking for this ability to (1) advise the minister on what our proper policy is when it comes to conservation and management of our lands and (2) have a hand in being able to police what happens in those areas and generally have a hand in what happens on traditional territories when it comes to the management of fish, wildlife and resources.”

Up to now the government has said no, but all of a sudden, through this bill, they're saying that they're prepared to do that for non-aboriginal people. Well, they're pretty upset. Again, when I spoke to Chief Fox and I spoke to Chief Moonias in Ogoki, when I spoke to Ignace Gull, the grand chief of Mushkegowuk, and others, they're saying, “Hey, why are we being treated differently?” In fact, I was in Peawanuck with my good friend Mr Prue not but this winter, where that very issue was raised. One of the issues that was raised to us by a number of people whom we met at a community forum was, they live next door to Polar Bear Provincial Park, and there's really no presence of the ministry in that park to speak of. They're saying, “We would like to have a hand in managing what happens in that park so that we can, first of all, make sure that we sustain what's in there for future generations and, number two, set policies that would be beneficial not only to their communities but to other communities around them in regard to economic development. The government to this day has refused them.

So I'm saying to you, at the very least I'm going to bring forward an amendment that basically says the composition of this committee has to include a number of people, including aboriginal people, environmentalists

and others, and not be stacked with just anglers and hunters, because I think that would be the wrong thing to do. I think you have to have a balance on that committee, if you were to bring it forward, that basically has various points of view and gives voice to people to be able to raise issues that are important to them or concerns that they may have about what a minister may or may not be trying to do.

So two of the amendments, as I say, are important to me. I'm going to be tabling those once we get to committee. We will force this bill into committee in order to have, hopefully, a couple of days of hearings so that people can come and speak to it—I'm saying hopefully four, five, whatever we can get—and, in addition, to be able to put forward amendments. I truly hope the government will see these amendments as friendly ones, because I can't believe that the Ontario government would take a position that would take away aboriginal hunting and fishing rights. I can't believe that would be the official policy of the government of Ontario.

**Mr Wayne Wettlaufer (Kitchener Centre):** You're right.

**Mr Bisson:** Thank you. I hear somebody on the other side saying they agree with me, so therefore I'm saying to you, Mr Wettlaufer, I look for your support in committee on a non-derogation clause that clearly stipulates it was never, never the intention of the Legislature of Ontario to take away hunting and fishing rights. Because as we know, courts in the future, if this thing is challenged, will look at what was said here. For the record, there are government members who are agreeing with me, and opposition members all agree. I take it, actually, all the government members agree, because I see nobody saying a negative, nobody's negative on the government side, that it's never been the intention to take away rights from aboriginal people when it comes to hunting and fishing.

Let me get to the other part of this bill, and that's the politics of the bill. The reality is, this government has not been very friendly to anglers and hunters over the last seven years; in fact, they've been downright hostile. The reason this bill has been brought forward—and I'm sure I'm going to get some support from the Liberal benches on this one—is that the government needed to find a way to say something very simple to anglers and hunters: "Yes, we beat you on the head and we've done all kinds of negative things"—which I'll get into later—"but we love you. We really want to give you a big hug from the government, and we want to say we love anglers and hunters, so here's a bill that says you have the right to hunt and fish." That's really what this bill is about; it's about a group hug. But the reality is, when you look at the bill, it gives anglers and hunters absolutely nothing. I'll just go through that.

There are two sections in this bill. I want the members to look at this, if you haven't had a chance. It's got a front page with the title—every bill that's ever printed has a front page; it has an interior page—these are my notes, so this is not part of the bill—that talks about the

purpose of the bill; and the entire bill is contained on pages 1 and 2—two sections. All the bill says—

**Mr Wettlaufer:** You criticize them when they're too long and you criticize them when they're too short.

**Mr Bisson:** Listen to this, Mr Wettlaufer. You're going to like this. Where are the rights to hunt and fish? They call this "An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission." It says in subsection 1(1): "A person has a right to hunt and fish in accordance with the law."

Tell me how that's different than now. Tell me how that's any different. Last time I checked, when I go fishing—I don't hunt as much as I used to because I don't have the time, but the point is, if I go out and fish and hunt, do you think I don't have to follow the law? Of course I do. There are a couple of laws that I have to follow. I have to follow the Ontario Fish and Wildlife Conservation Act, 1997, because you guys amended that—we'll talk about that later—I've got to follow the Fisheries Act from the federal government and I've got to follow the Migratory Birds Convention Act, 1994, from the federal government. Your bill says that I have the right to hunt and fish provided I follow the law and then it says I have to do what's said in these acts and all the regulations. It means nothing. If an angler or a hunter thinks they're getting rights by this bill, they're being duped, because the bill does absolutely nothing.

**Mr Rosario Marchese (Trinity-Spadina):** A bear hunt.

**Mr Bisson:** Will a person be able to go out and hunt and fish any more than they do now? The answer is no. I hear my good friend Mr Marchese asking, if the government decided to cancel the spring bear hunt, somehow or other could they have stopped it by way of this bill? The answer is no. It gives us nothing.

For example, on January 1 of this year the government introduced slot sizes for fishing up in our area. I see Mr Wettlaufer knows what I'm talking about because he's shaking his head. Let me ask you this question: all those anglers and hunters who are mighty peeved at you for having introduced slot sizes that don't make sense in a number of cases are saying, "Would I have any other rights under this bill? Could I have challenged the government and stopped the introduction of slot sizes?" The MNR said no. The minister's staff said no. You've got absolutely no rights. So if the government comes forward at any point in the future and attacks anglers and hunters again, as this government has done on a number of occasions, you have absolutely no rights. There are no rights in this bill.

The other thing is, when you talk to lawyers they say, "You can't do that. It's a constitutional issue." The only people who can infer rights is by way of the Charter of Rights and Freedoms through the Constitution. You have no ability as a province to give them, unless you had agreement by 10 provinces, three territories and a federal government. When was the last time we had that, let alone try to amend rights for hunting and fishing? You



have no ability to give rights, so what the heck is the game here? That's my point.

We stopped this bill when it was first brought to the House. We said, "Hey, we're not letting this go by without a debate because we have some serious amendments to bring forward." I'll talk about others in a minute but one deals with aboriginal issues, and another one deals with anglers and hunters, because they're mad at you.

This is the government that in 1990 ran on a promise. Do you know what? When we were government, if you guys remember, the money that was collected from angling and hunting licences went to a special-purpose account. That was to make sure that the money that was raised from licences sold for fishing and hunting, or any other money we got from confiscating equipment from somebody having done something wrong, would be used for conservation. This government ran—

*Interjection.*

**Mr Bisson:** Hang on a second. This is great. This government ran on the promise that they would take it out of the consolidated revenue fund and create a special-purpose account outside the consolidated revenue fund, and nobody would have the right to touch it.

First of all, they never did that. If you go back and take a look at the Fish and Wildlife Conservation Act, section 85, it's very clear what it does. When you guys amended our legislation, you said in section 85, "All amounts received by the crown under this act shall be held in a separate account in the consolidated revenue fund"—it changes nothing; it was there in the first place—"including all fines, fees and royalties paid under this act and all proceeds from sales under this act, including sales" etc. Basically what the amendment says is that there's no change. The money is still in the consolidated revenue fund and it's up to the minister. It says under subsection (3), "The minister may direct that money be paid out of the separate account to the minister or a person specified" by the ministry. In other words, the government can do anything it wants with those dollars, and in fact it did.

**1910**

The very first thing you did, and I'll tell you that the people in northern Ontario went absolutely nuts, is you took the money from that fund to fund your Lands for Life process. When you guys came in out of the blue and took a bunch of areas out of the system for hunting and fishing in the province—because you did that; you took out of the land base a number of areas that used to be open to hunting and fishing in this province, in 1996, I believe—you paid for that process through the special-purpose account, something you promised you would never do.

I remember going to those meetings across northern Ontario as your government was holding information sessions on Lands for Life. The rooms were packed. I hadn't seen crowds like that since we did the Constitution hearings back in 1992 and 1993. I remember going to the Senator Hotel, to the Knights of Columbus hall in Hearst, to Kapuskasing, to Kirkland Lake and a whole bunch of

other communities. They were hanging from the rafters, they were so mad at you guys. They said, "Hey, where the heck are you coming from? You promised us a government that would protect anglers and hunters and that you were friends of the OFAH, and the first thing you do, on becoming elected, is pull all this land away from anglers and hunters without any consequence, without any thought about what it means to them."

There's an argument to be put forward that some of those places had to be protected. I don't say that any angler or hunter opposes the idea of protecting our natural resources, the fish and game etc. But, God, the way you guys came at it was just with a sledgehammer, without any kind of process that gave people in our part of the province, including environmentalists, any real say.

What really galled them, on the second point, was that you paid that out of the special-purpose account. I remind you: a promise made and a promise broken in 1995. You promised in 1995 that you wouldn't do it and in 1996 you broke it, and anglers and hunters in the province were mad at you, for good reason.

Then you came back, and the next part that you did was to enact the 21-day camping rule. It used to be in Ontario that if people wanted to go camping on crown land, they had the right to do so provided they were reasonable in their use of the land. There was a policy on the books that basically said that if somebody was being unreasonable, camping more than 21 days and leaving garbage all over and blocking access by people, the ministry had the right to remove those people from there after 21 days. This government said, "Well, you know what? We want to limit everybody to 21 days." That meant that all those people who had hunting camps up across northern Ontario who basically set up their camp in September, when the weather is nice enough, in preparation for the moose hunt or the deer hunt, or the bear hunt that will be happening two months down the road, couldn't do it. They didn't have the right, under your new policy of 21-day camping, to set up their hunting camps. They didn't get that overturned until I came in here and created one hell of a stink and said that you guys are really nuts. You know, people set those camps up in September for a reason. They are putting them in place in order to spot their areas for when the hunting starts later on in October, into November. Then people take their trailers out of there. You were going to prevent, in that case, some anglers but mostly hunters from being able to set up those camps.

**Mr Marchese:** Why would they have done that?

**Mr Bisson:** They're not friends of anglers and hunters. That's my argument. These guys purport one thing—"We want to give you a group hug. We love anglers and hunters and fishers. Look at us; we've got an act"—but on the other hand, wham, hit them on the head every chance they get.

It's duplicitous on the one hand to say, "I love anglers and hunters and I want to hug you," but on the other

hand, when it come to your actions, they're quite frankly—

**Mr Wettlaufer:** On a point of order, Mr Speaker: Since when is the use of the word “duplicitous” parliamentary?

**The Acting Speaker:** I didn't hear him say that word, but I'm sure that if it offends you, he will withdraw it.

**Mr Bisson:** If it offends the member, I will withdraw it, Mr Speaker.

But on the one hand you say, “I love anglers and hunters,” through this bill, but on every other occasion you've whacked them on the head. It wasn't until I came in here and started raising the issue in the House and privately with the minister that I finally got some modification of the 21-day camping rule, that it would exclude anglers and hunters when it comes to the purpose of setting up hunting and fishing camps.

**Mr Marchese:** You had to whack them to make them hear you.

**Mr Bisson:** Yes, I had to come and whack the government because they were whacking the anglers and hunters on the head. An opportunity to help anglers and hunters? Well, you can go like that if you want, Mr Wettlaufer, but it's the case. All the people I was talking to are up in arms. They're saying, “What the heck did I do wrong? Since when as an angler or hunter have I become a criminal in the province?” I would argue that 99% of anglers and hunters are reasonable people who basically follow the law. Sure, there are people who go outside, but that's why we have conservation officers. That's why we have members of the public who are prepared to call the hotlines to turn in those who are doing things that are outside the law. Most people follow the law, just as in any other part of our lives. But this government decided to whack them on the head and it wasn't until I came here that we finally got that resolved.

Another issue is that you never dealt with the 21-day camping when it came to campers. In that case, they were limited to 21 days. Some would argue that makes sense in areas and lakes that are under high pressure. I would tend to argue, if somebody is trying to camp somewhere and there are only three or four spots available, and it's the same three or four people who stay there all summer, obviously you've got to give people an opportunity to get in there themselves and be able to enjoy that particular lake, not just to leave it with one group. I'm prepared to concede the point that in those lakes that have heavy pressure for camping, we have to apply a 21-day camping rule. But for other areas—let me tell how stupid this got. One couple who lives in Kapuskasing used their camper on the side of a river. They weren't even on the bank of the river, they were in a sandpit about 400 feet from the river. They were in the sandpit on the side of the road. They were the only campers for as far as you could see.

**Mr Marchese:** Wilderness.

**Mr Bisson:** Wilderness is exactly the point. MNR comes in and tags them and says, “You're charged under this act for having camped more than 21 days on crown

land.” What's the point? They were the only ones there. Finally, I had a discussion with the MNR district manager and we managed to have that little problem go away. The ministry finally said, “Yes, this is unreasonable.” But in other districts like the Timmins district, they were never willing to reverse that policy. So we have a situation now where you've got lakes and you've got areas that people—first of all, there's no lack of places to camp where I come from. For those people who have come to my part of the world, you know that northern Ontario is quite large. As a matter of fact, my riding is as big as France. There are a lot more campers in France and they still have lots of room, but we don't have enough room for the few people camping in northern Ontario? Duh? Anyway, you have now whacked campers in Ontario and you're saying, in those areas where there is no pressure, they can't camp more than 21 days. So now you're forcing people to go into paid camps, into provincial parks. I guess that's what your policy is.

**Mr Marchese:** That's a minor detail.

**Mr Bisson:** Well, the government doesn't give a darn, obviously, but I do and a whole bunch of other people do as well.

Then they did the other thing, they cancelled the spring bear hunt. Oh, boy, did people get upset about that in my part of the province. I am probably the only member of this assembly—I think I am—who supports the reinstatement of the spring bear hunt. I think it was a stupid thing to do. I am putting you on notice now. We know, for example, this year that there are more bears out in the bush than ever before. We're having huge incursions of black bears coming into the communities, and that's not a laughing matter. In fact, not more than a week ago, in a community south of me, we had three black bears in a schoolyard—two cubs and a mother. Kids are out there. God knows what's going to happen. Part of the issue on the black bear hunt was to manage the herd.

**Mr Marchese:** Love your bear.

**Mr Bisson:** That was good, but I won't repeat it.

You guys went in and cancelled the black bear hunt. If you had been reasonable and gone to the bear-hunting community—because first of all, there are not a lot of people who hunt bears. This whole notion that everybody who lives in northern Ontario has a gun in their pickup truck to go out and shoot bears is ludicrous. The vast majority of people in northern Ontario don't hunt bears. The majority of people who hunt bears actually tend to come from the south. I don't hunt bear. I have no use for hunting bear. It's not something I want to do. But the vast majority of hunters who hunt black bear actually come from southern Ontario or the United States. There are very few local residents who hunt black bear.

**1920**

First of all, there wasn't great pressure from hunters on the bear stock. But the other issue is that it was one of the ways of being able to manage herds, because we have encroached on the bears' territory. The reality is we have built communities, and where communities are getting



bigger there are fewer and fewer areas for bears to go. We have encroached on their territory. As a result there are fewer places for them to go. So if they need to feed, where do they go? They go into the dumps or into somebody's backyard or back deck, as they've done into mine a couple of times, to try to feed on what's left on the barbecue.

I live in downtown Timmins. About two years ago—was it last summer or the summer before? I've got to remember—I had a black bear in my backyard at 3 o'clock in the morning, with three Timmins police officers trying to chase it out. So now we've gone from hunters hunting bear—

**Mr Marchese:** Were you there?

**Mr Bisson:** Yes, I was there. They woke me up.

**Mr Marchese:** What did you do?

**Mr Bisson:** I waved at the bear as it left.

We've gone from black bear hunters to police having to do the job of the MNR. Now what's happening is the bears are being shot by other means, which is ludicrous. The black bear hunt served the purpose, I argue, and unfortunately, this government has taken it away. The point I make is you say you're the friends of anglers and hunters. Go talk to the black bear hunters. There's a whole black bear association, as you know. They've lost their charter challenge and I guess that's that.

I want to make this point: if black bear hunters had this legislation at the time that the black bear hunt was being cancelled by the government, it would have meant nothing. There would have been no way of using this legislation to prevent the cancellation of the spring bear hunt. It couldn't have happened. So what's the purpose of this bill? If you're serious about giving anglers and hunters some sort of rights, you certainly have not done it by way of this bill.

I sit down with MNR officials and say, "Hey, do anglers and hunters have more rights than they did before?" "No." "Could the anglers and hunters stop a black bear hunt?" "No." "If a slot size were introduced by the government in regard to fishing, could they have an effect?" The answer is no. There are no rights given. It's a pretty innocuous piece of legislation, to be quite blunt. You should change the bill—and maybe that's one of the amendments I should bring forward: "We PCs love hunters and fishers. Let's give you a group hug." That's basically what the bill does. I say this is more gamesmanship and politics on the part of the government than actually dealing with a serious issue.

Another issue that anglers and hunters are mad at is what you've not done with the tag allocation system. There is still the problem in my part of the province and others that people who legitimately want to go out and hunt aren't able to get a tag. You can't give everybody a tag. I think we all understand that. There's not a hunter in northern Ontario who says, "Give everybody a tag so we can go out and shoot all the moose." No. But there needs to be a fairer system to distribute the tags. It frustrates some.

I want to give the story of one gentleman, Mr Pio Alberton, who lives three cottages away from where we are. The tag system has been around for about 17 years, I think; I'm just guessing. He was in the draw for 15 years and not once was he drawn. I haven't been drawn in five years. I got out of the draw system five years after it started because I was never drawn. I just gave up and said, "To heck with it. I don't need this frustration." But he looked around at his neighbours; other people were being drawn every second or third year. The point that people like Pio make is that's not fair.

We should have a system which recognizes that somebody who has already had a tag should be out of the system until those who have not had a tag have an opportunity to have one. So either rearrange the group hunting system, which is probably not the entire solution because there are some people who don't want to hunt in a group, or set up an allocation system that basically says, "First of all, let's make sure we know how many moose are in the moose management area. Let's make sure that we don't prescribe more tags than nature is able to sustain, because we need to sustain the herd." We don't want to deplete the herd. But then have an allocation system that basically says, "Somebody's been drawn and somebody's got a tag. They're out of the system until we've exhausted the pool." Maybe people need to apply, X amount of people per tag—right?—and those people have to be in on the hunt. So it's not a question of me going out and getting my four family members who never hunt so that I can qualify as a group.

Just one of the ideas that was brought forward to me—I don't purport it is the most favoured—is that if you want to get in on the tag system you put together a group. The group has to be active in the hunt or else it doesn't count. In other words, MNR goes out there and they've got to see those people in the party, and if they're not there they'd better have a pretty good excuse, "I'm sick; I'm at work," whatever. Then once those people have shot their moose, they all put their guns down. Nobody from the group goes with any other group to hunt. They don't go out as individuals to hunt. Basically, they're out of the system until the pool over the last couple of years has expired. So you would have to have a pool that rotates every three or four years.

At least that way, people like Pio Alberton and a whole bunch of other people I could name would have an opportunity to get a tag. Guys like Pio were pretty happy when you guys got elected in 1995, to my chagrin. Yes, there are some people in my riding who voted for Mike Harris; fortunately for me, and I would say fortunately for the province, not enough of them. But a number of people voted for this government on the basis that they expected them to change things when it came to the issue of angling and hunting rights, and in fact that has not been done. On the issue of the moose hunt you guys have had a pretty dismal record. Anglers and hunters are still saying the issue hasn't been dealt with.

I know there are some people here from the environmental community who will disagree with me, but

anglers and hunters are not bad people. They are people like anybody else. Most of them are law-abiding people who want to practise safe, reasonable hunting practices that are sustainable to the environment. I'm not one who purports that we should ban hunting altogether. It's been something that has been in our culture for many years, that has been in our lives as humans for years. It may be an activity that a lot of people choose not to do in certain parts of the province, but I don't think we should take it out altogether. But you have to have management practices. Anglers and hunters will agree that you have to have good management practices. Why? Because you want to make sure that when you go back to that lake there are still fish there. For example, the only thing I do now is fish. I don't hunt any more. When I go fishing I'm a catch-and-release guy. I don't keep anything unless the fish looks like it's not going to survive. Then I take that one fish home and eat it, or I'll do it up on the shoreline, or I give it to my mother or whatever. But I don't keep anything; I just put everything back in the lake. Why? Because like most fishermen I want to make sure that when I go back there are more fish—very simple.

I say to the government across the way and to other members in the assembly, let's not get into a debate about whether anglers and hunters are bad, because that's not what this debate is all about. The issue is, they are very frustrated because this government on a whole bunch of occasions has whacked them on the side of the head.

Another example of what's just happened now is on the issue of slot sizes. There's an argument that could be made by some that we need to move to a slot system, but, God, we never had an opportunity to even have that debate. Nobody ever had the opportunity. For those who don't understand what slot size is, let me explain to you. Under the old system, prior to January 1 of this year, a person had the right, in a lake that was open to fishing, to six walleye, six pickerel, six pike or northern pike or whatever you want to call them. You had the right to six. Somebody who drove four or five hours on the highway, on the road to the lake on the ATV to go fishing, had the right to take six pickerel out. Now the government, out of the blue, comes in with a slot size and says, "You have the right to four"—

**Mr Wettlaufer:** You know why.

**Mr Bisson:** Just listen up a second—"You have the right to four fish and no fish can be between the size of 16 inches to 24 inches," because supposedly they are the spawners.

Some people will argue—and I legitimately understand the argument—that we need to reduce the catch in order to sustain the fishery, and some people might agree with you. But what anglers and hunters got upset about was that it came out of the blue. The government said, after January 1, through the MNR, "We had an extensive consultation period. We've consulted with all kinds of people on slot sizes and nobody opposed us." There was not a darned angler I met last winter, as I was out ice fishing, who knew anything about it, after January when

the fishing opened. I didn't actually start going out fishing until about February, but when I went out ice fishing on the lakes in my area, I didn't run across one angler who knew anything about the consultation that happened by this government on introducing slot sizes.

People are saying to me, "The slot size is wrong. It shouldn't be 16 inches to 24 inches." Sixteen inches represents about a pound and a quarter to a pound and a half of pickerel, and those are not the primary spawners. The primary spawners are in fact larger than 16 inches. So the government got it wrong on the bottom end. Other people argue—and this is a very good argument—"You're out ice fishing or fishing on a lake in the summertime. You put your line in the water and, oops, you've got a 16- to 24-inch fish at the end of your line. You pick up the fish, you take the hook out of it, and because it was a fighting fish and it got caught in a branch or whatever and the hook got caught real bad, the fish is going to die. You take the fish and throw it back into the lake. What purpose does that give? It gives absolutely no purpose. The MNR's argument is that basically you've got to put all that back into the lake. The fish is dead, for God's sake. So they argue, as in Nipissing, why don't you adopt a policy that says you're allowed three under 16 inches and one above 16, and the one above 16 that you keep is the one that was harmed?"

**1930**

Some people will argue against that, but my point is, anglers and hunters said, "We were never consulted. We never got an opportunity," as fish and wildlife organizations such as the Rod and Gun Club, people in the OFAH across my area. I went, for example, to the club de chasse et pêche in Hearst. I went to the Kapuskasing people, to the Timmins people and the Smooth Rock Falls people. None of them had been consulted, and they're bona fide angling and hunting clubs. I went to the annual meeting of the Smooth Rock Falls group and raised it there. They said, "Jeez, we never knew that was coming. Where did that come from? Nobody ever called us." In fact, we were dealing with the MNR over the last year over replacing a couple of bridges on a couple of roads in and around Smooth Rock Falls. At no time did MNR ever say to them, "We're going to change slot sizes."

I say to my friends in those clubs, what would this bill do for you? Would this bill give those people in those clubs an opportunity to say, "Hey, hang on a second. We weren't consulted. We need to be consulted before you enact these new fishing regulations"? No, because at the end of the day the government can do what it wants, because the bill says that you have the right to hunt and fish provided you follow the law. And who makes the law? It's the minister, through this Legislature. There are no rights. So those people who are now, as they see it, stuck with the new fishing regulations under slot sizes are saying, "Hey, I never got consulted. What gives?" Again, you whacked them on the head. Anglers and hunters one more time, bang, got it on the side of the head. But it's OK. Don't worry; everything's fine.



Then Mike Harris, now Ernie Eves, then John Snobelen, now Mr Ouellette, say, "We want to give you a group hunt." The Tory caucus is coming together and it's going to hug every angler and hunter in the province of Ontario and say very softly in their ear that they love them. At the end of the day, it's not going to do anything to give anybody any kind of additional rights. I say to the government across the way, your record has been very abysmal when it comes to it.

One of the amendments I want to put forward is a very simple one. As in the Sustainable Forestry Development Act, we said as a government, "If harvesting practices are going to have an effect on cottagers, on environmentalists, on anglers and hunters or any other users of the forest, First Nations communities etc, there needs to be"—as we defined it under the act—"a citizens' committee in order to review whatever changes and plans are being made by either MNR or the forestry company when it comes to their activities in harvesting." That way, they're able to get wind of something that's coming, they're able to have their input and, at the end of the day, more times than not find a solution. Under the Sustainable Forestry Development Act, those citizens' committees have been very effective. They have managed to avert all kinds of confrontation that we used to have against logging companies and other traditional users of the forest.

Prior to the Sustainable Forestry Development Act, the environmental community, the cottagers, the anglers, the First Nations, and the list goes on, would find out about harvesting plans only when the timberjack or the harvester showed up in the forest to cut the trees. We said as a government, "That's nuts. People need to know what goes on. There needs to be proper planning on the part of the forestry companies at MNR, people need to be informed, and they have to have an opportunity to have their say."

I'm saying I want an amendment to this act. This is one of the big reasons why I didn't want to give unanimous consent last winter. I want something that's comparable to the Sustainable Forestry Development Act that says that for any changes that are made to hunting and fishing regulations in the province of Ontario, there needs to be a real process of dialogue so that all those people who are interested and affected, one way or another, have an opportunity to have their say. If, for example, we are doing new slot sizes, you have at the table the First Nations communities, you have the environmentalists, you have the scientists, you have the anglers and hunters. You've got the people there to talk about, "Is it a good policy?" and number two, "How do you make it work?"

I would argue, on the slot size, there are a lot of people who are upset where I come from, but most people are prepared to live with a slot size if it makes sense. People are saying this one doesn't make any sense. Obviously there are some people who wouldn't live with it at all, but I don't think they're the majority of the fishing and angling community. Most people want to make sure that

we preserve the fishery, but it's a question of how you do it. So as in the Sustainable Forestry Development Act there was a process to enable people to have a real say about policy and a real power when it came to affecting decisions, we need the same kind of thing in this act. I want to have in this act something that's akin to what we had in the Sustainable Forestry Development Act. That's one of the other amendments I want to bring forward to this bill. I'm going to be asking the government, when we bring this to committee, certainly to consider those amendments and to support them, because I see them as friendly amendments. There's nothing wrong with having the various people around the table dealing with those issues.

For example, last spring I dealt with Tembec, which is the major forestry employer in my riding. They had an entire process, when it came to a forestry activity they had, where they brought the people the forest companies used to see as the bad guys—I think, quite frankly, they were wrong in that view—together. They brought everybody together: the environmentalists, the cottagers, the First Nations communities, you name it. They brought them into the forest and showed them what they wanted to do. They said, "What is your comment? Does this make sense, in your view?" Of course there were problems. Everybody said, "You can't do this, you can't do that," for various reasons. Tembec went back, made some adjustments to their plans and guess what? We now have a forest management plan that people by and large buy into. They say, "Let's balance off the need to support our local economy and also make sure that we do that in a way that's sustainable to the survival of the forest and to the game in that forest." Was it easy? No. Was it difficult? Probably. Was there a requirement of an investment of time and resources? Definitely. But at the end of the day, I believe we averted—I give Tembec full credit for this—a whole possibility of confrontation later on. I say the government has to seriously listen to that particular amendment I want to bring forward.

The second part of this legislation is what I'd like to speak to probably in the last part of this debate. Section 1 says you have the right to hunt and fish in accordance with the law. As I said, basically that means to say you've got no rights at all. You will have to do what you've always done before, and that is follow the law. So the government is doing nothing on that point. Then it says that where there used to be a committee to advise the minister on issues of angling and hunting, the minister is now forming a commission. It's like to-may-to, to-mah-to. What's the difference? I guess the difference is how you write the legislation. If the government had written the legislation in a way that said the commission had real powers—and I would argue a lot of people would have problems with that, including the angling community to a certain extent, but certainly the environmentalists and First Nations communities, and for good reason—there might have been something here that some people might have taken as a victory.

But the reality is the commission doesn't do anything. The government again is saying that they're prepared to group-hug anglers and hunters. It talks about composition, which I talked about earlier and which we need some amendments to. It says, "The commission shall be composed of such number of members as may be appointed by the Lieutenant Governor in Council..." It says in subsection (3), "On the request of the Minister of Natural Resources, the commission shall consider and make recommendations" on this whole issue of angling and hunting. The key words are "on the request." The power lies with the minister.

So, for example, let's say this legislation existed prior to the enacting of new slot sizes; anglers and hunters would think this bill gives them some rights. But if the minister says, "I'm not referring that to the commission," what have you gained? We're right back where we started from. We had a committee before that advised the minister when the minister sought that advice, and now we have a commission that says, "on the request of the minister." All we've done is gone from calling it a committee to calling it a commission. We've not enacted any new rights for anglers and hunters by way of the provision of that section. All you're doing is creating a commission where there was a committee.

I was talking to some of the executive of the Ontario Federation of Anglers and Hunters yesterday, who were here in the galleries and unfortunately are not here tonight. They were all excited. They said, "Oh, Mr Bisson, you have to understand the bigger picture. This is great legislation." I'm saying it's bad legislation; it doesn't do anything.

If the government didn't put any teeth in the legislation, it means to say they never planned to give you anything. What are you gaining as an association representing anglers and hunters? Absolutely nothing. You still have to follow the law and it's up to the minister whatever happens, because the second section says the minister is the one who's going to order the commission to do whatever. Let's say Minister A comes to the cabinet table and says to his commission, "I would like you to take a look at issue X," and all of a sudden the minister changes his or her mind, or a new minister is appointed. That new minister, or the minister who changes his or her mind, can come back and say, "I don't want you doing that any more." Once something is referred to the commission, there's no provision in there that says the minister can't haul it off the table. So there are really no new provisions in this act to deal with any of those issues.

I say to the government members very seriously, there are going to be a number of amendments that I want to put forward. I'm asking the government—and also the Liberal caucus, because you guys are just as dirty-handed on this one, as far as I'm concerned, as the government. The Liberals were prepared to accept bad legislation that did absolutely nothing for anglers and hunters. They're not prepared to debate or put forward any kind of teeth in the legislation; they're willing to play the game, willing

to say, "We too, the Liberal Party of Ontario, and Dalton McGuinty, love anglers and hunters. Let's give you a group hug with the Tories." That's basically what you guys did. At least we have the courage of our convictions to say no. Even when it was unpopular in December because people didn't understand what this legislation did, we looked at the legislation, we read it, we caucused it, we came back and said, "There are problems with this legislation." It is a political document for the government, that's all it is, and we are not going to participate in a process that basically plays politics with this issue on the part of the government. It's clear the government has negatively impacted the angling and hunting community, and all they were trying to do was to say to the anglers and hunters that they liked them and they were prepared to give them something, when in fact they're not giving them anything when we take a look at it.

We'll be coming forward with those amendments. As I said in the beginning, I want a non-derogation clause that says it's not going to impact negatively on angling and hunting. I want one other amendment that deals with the composition of the commission, which ensures that the commission has representatives from the various communities that are affected by way of the angling and hunting issues. I want to make sure we establish a process that gives anglers and hunters a voice when the government moves to do things like they did on the black bear hunt or on slot sizes or on a number of other occasions when they negatively affected this angling and hunting community.

I almost forgot to mention that a good friend of mine, Mr Nick Fergassi, and a whole bunch of his friends who actually fish in Shelley's riding but live in mine are upset because every time the forest companies go in and start a new activity, there are a number of occasions when they will end up barring access to fish areas that people had the right to fish before. For example, if you always fished on Lake X and had traditional access by way of a road that was built some 30, 40, 50, 60 years ago by a forestry company, when the forest company goes in, sometimes what they do when they finish their harvesting is block access to that area by taking out that road or pulling out the bridges. As a result of that, people are blocked from the ability to angle and hunt in those areas. I want something that's akin to what we have in the Sustainable Forestry Development Act, that basically says there is something akin to a citizens' committee or some mechanism that gives anglers and hunters an ability to hunt and fish.

Mr Speaker, I would like to move adjournment of the House at this point.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1944 to 2014.*



**The Acting Speaker:** Mr Bisson has moved adjournment of the House.

All those in favour will stand and remain standing.

All those opposed will stand and remain standing.

**Clerk Assistant:** The ayes are 5; the nays are 34.

**The Acting Speaker:** I declare the motion lost.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** On a point of order, Mr Speaker: I ask to take just a moment in the House to correct a much earlier record.

On October 6, 1992, during oral questions I cited a quote from the Globe and Mail which was attributed to Mr Pollock of the New Jersey Casino Control Commission. Apparently in the Globe and Mail article that comment was incorrectly attributed to Mr Pollock. It was subsequently corrected in the Globe and Mail and Mr Pollock has recently asked if I would also correct the record in the House. I do so tonight.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: Since 1992, that has been weighing on my mind and I'm glad the member has finally come clean.

**The Acting Speaker:** Order. The member for Timmins-James Bay.

**Mr Bisson:** As I was saying earlier, the government purports by way of this legislation to put forward a bill that would somehow give rights to anglers and hunters. As we read the bill, there is nothing in the bill that gives anglers and hunters anything in addition to what they already have.

The bill says in the first section of the act, "A person has a right to hunt and fish in accordance with the law," which means it's status quo. There is no change. The second part of the bill establishes a commission to advise the minister. Only at the request of the minister can the commission actually be given any work, which means it's not any different than a ministerial advisory committee.

As I said earlier, the government in this case is trying to say to anglers and hunters that they like them, but when you look at the actions of this government when it comes to numerous issues, such as the cancellation of the spring bear hunt, the introduction of slot sizes, the 21-day camping policy—and the list goes on and on—they've been attacking anglers and hunters in this province for the last seven years and they're trying to find a very dismal way to do this.

On that, I'd like to adjourn the debate, Mr Speaker.

**The Acting Speaker:** Mr Bisson has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2018 to 2048.*

**The Acting Speaker:** All those in favour will please stand.

All those opposed will please stand.

**Clerk Assistant:** The ayes are 5; the nays are 31.

**The Acting Speaker:** I declare the motion lost.

Questions and comments?

**Mrs Margaret Marland (Mississauga South):** It's kind of difficult to follow with so many adjournments, but I do believe that the last speaker was the member for Timmins-James Bay. Since we're all inclined to follow suit—although I'm reluctant to get into this ridiculous, foolish game—rather than comment on a somewhat nefarious kind of speech, I will move adjournment of the House.

**The Acting Speaker:** I'm sorry. I didn't hear your comment. You're moving adjournment of the House?

**Mrs Marland:** Yes.

**The Acting Speaker:** That would not be in order. During questions and comments, you do not have the floor as if you are in debate. Therefore, that is out of order. You may continue.

**Mrs Marland:** It's not worth commenting on.

**The Acting Speaker:** Questions and comments.

**Mr John Gerretsen (Kingston and the Islands):** My sentiments are completely with the last member. I also think it's a bunch of foolishness that's going on here tonight.

I find it interesting that we haven't been in this House for almost five months, since before Christmas until about two or three weeks ago, and with what has been happening here tonight—and I know the NDP feels the same way. I want to know why the heck they're moving adjournment of the debate, adjournment of the House. We're here to debate the issues of today.

On the other hand, I can understand some of their sentiment, because the government hasn't brought in one government bill, not one government bill, in the two and a half weeks we've sat here. I've checked this with the table. There hasn't been one government bill—

**The Acting Speaker:** Order. The point of this is to make comments or ask questions on the speech made by the member for Timmins-James Bay.

**Mr Gerretsen:** I appreciate that. I appreciate that very much. I know this is a very important bill. But as has already been pointed out, this bill contains exactly two sections. The bill contains two sections, which may be important, but for us to spend three or four days in debate on this bill when we could be discussing the many more important subjects that the people of Ontario are concerned about, I would suggest—and since the government House leader is here today, let him bring in some legislation.

We have a so-called new government, although they seem to be very much of the old guard. Bring in legislation that will benefit the people of Ontario. You've had two and a half weeks to bring in legislation. I challenge the government House leader to bring in some government business that this House can actually deal with in a very meaningful way, because certainly the kind of shenanigans that have gone on here in the last two and a half weeks aren't doing it.

**The Acting Speaker:** Questions? Comments?

**Mr David Christopherson (Hamilton West):** I want to comment on the remarks of my colleague from Timmins-James Bay.

Let me just say, in terms of procedure, the previous speaker is at least partly right in the last part of his comments in that, of all the things that are important to the people of this province, as outlined by your own Premier in your own throne speech, this is what we're going to tie ourselves up with night after night after night, a bill that has four parts—four parts? The first one is that a person has a right—

**Hon Mr Stockwell:** Call the question.

**Mr Christopherson:** If the government House leader would like to just listen, I'll give him a reason why I think this is a waste of our time. Are you going to listen? OK.

First thing—and my colleague said it best; he certainly had an hour to expound on it—the fact of the matter is, to say that a person has the right to hunt and fish in accordance with the law, to make that statement legislatively and to say that it's more important than the crises in our education system, our health care system, our environmental procedures, that this is more important than all those things, is laughable.

What else does it say? They're going to create a commission. Well, look at the wording. The wording says the commission will give advice to the minister. It's my understanding from my leader, who is a previous Minister of Natural Resources, that those committees already exist at the pleasure of the minister.

The fact of the matter is that my friend and colleague is absolutely right. This is one great group hug where you're trying to convince a segment of the population that this matters, that you care about these folks.

*Interjection.*

**Mr Christopherson:** I'll tell you what we want to hear. We want to hear how you care about the environment. We want to hear how you care about safe drinking water in this province. We want to hear how you care about the people who are backed up in our hospital system because there's not enough money. We want to hear how you care about our kids, because there's not enough money in our education system.

*Interjections.*

**The Acting Speaker:** Could we have some order?

**Hon Mr Stockwell:** After the member speaks, I'd just like to be able to hear.

I say to the member—

**Mr Christopherson:** You will have to shut up first.

**Hon Mr Stockwell:** That was nasty. It wasn't witty at all; that was nasty.

I agree; this, in my opinion, is a fairly straightforward bill that should proceed through the Legislative Assembly with quickness. The situation I'm faced with is that I have to deal with the House leader for the opposition and the House leader for the third party. Why is it we can't spend more time on education bills? Why is it we can't spend more time on health care bills?

*Interjection.*

**Hon Mr Stockwell:** No, it's because members like the member for St Catharines insist on getting up and expounding on every single bill that goes through this House. That's exactly the problem. We have a very straightforward, very simple bill that wants to set up a commission, and you insist on taking four legislative days to debate it. There's the problem. If you want to take time, meaningful legislative time, if you'd like to have meaningful debate on bills, then you have to set your priorities. Do you want to spend four days talking about this bill? I don't. Our caucus thinks it should go through on a wink and a nod, but you're the two parties that insist on tying up this House for four sessional days debating a bill that we know should be whipped through with no problem.

Here's another example: the Ontario College of Art and Design wants to grant degrees. Last time you guys again held it up for four sessional days. So the problem isn't just on this side of the House; the problem is on your side of the House. If you want to treat these bills as they should be treated, they should be 15 minutes. Then we'd have serious time to talk about other bills. Why is it not 15 minutes? Because your House leaders are completely unreasonable.

**Mr Bisson:** In reverse order, to the member from Etobicoke, it is our job in this Legislature to make sure we give proper consideration to bills when it comes to debate and that, when bills need to be amended, we order those bills off to committee to do the proper amendments in order to make legislation work. So if the House leader says to me, "We don't need to debate things," I think maybe he's the wacko House leader, not the guys on this side.

On the other issue from the member from Hamilton West, when he talks about other priorities, he's perfectly right. We've now been back for two weeks. We've not debated one government bill that stems from the throne speech. We've been here dealing with bills that you wouldn't pass last fall. You have a legislative majority. You could have ordered this legislation forward last fall. You could have passed this bill last fall. You never called it, never did it, and now you're complaining that we're here debating the bill. Yes, we will debate this bill, and we will also bring amendments to committee because we think there are a number of issues that I outlined in my speech that need to be dealt with.

For the member for Kingston and the Islands to talk about shenanigans, saying "My God, we're playing games here"—I was in the House last night. I remember the Liberal opposition moving a deleterious motion in order to slow this bill down just last night, when their critic got up and did it, so I'm not going to take any lectures from the Liberals on this. We have some serious amendments that we want to put forward. We're saying to the government, "We need to have those amendments considered," and at the very least we need to give them good consideration so they're able to pass by way of this House.



Again, I'll just say in wrapping up—and I'm looking forward to the next motion to be put forward by the next speaker—what does this bill—I want you to answer—give anglers and hunters? Absolutely nothing. You have the right to hunt and fish if you follow the law, section 1. Duh; that's what people do now. It doesn't change anything. Where you used to have a committee to advise the minister, you're now proposing a commission by way of this legislation that will do what the minister tells them to do. Duh; that's what we've got now. To-may-toes, to-mah-toes, that's the difference.

**2100**

**Mrs McLeod:** On a point of order, Mr Speaker: I feel that since we are here on legislative business, it's important to restore some degree of seriousness to our deliberations tonight.

I understand that the government House leader has informally indicated that if we were to expedite the conclusion of the debate on second reading of Bill 135, he would be prepared to table the Hydro legislation. I would ask, then, if he would indicate to this House how quickly he would table the Hydro legislation if we were to move quickly on the finalization of second reading of Bill 135.

**Mr James J. Bradley (St Catharines):** Good question.

**Mr Gerretsen:** Excellent question.

**The Acting Speaker:** It is a good question, but it is not a point of order. Further debate?

**Mr Wettlaufer:** I had a lot of very meaningful debate that I was going to contribute tonight. However, it is pretty obvious that the members of the third party do not want to be here; they've moved two adjournments. The members of the Liberal Party don't want to debate; they moved adjournment last night. So I move adjournment of the House tonight.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2101 to 2131.*

**The Acting Speaker:** Mr Wettlaufer has moved adjournment of the House.

All those in favour will please stand and remain standing until counted.

Those opposed will please stand.

**Clerk Assistant:** The ayes are 3; the nays are 24.

**The Acting Speaker:** I declare the motion lost.

It being past 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2132.*

## CONTENTS

**Tuesday 28 May 2002**

### SECOND READINGS

**Heritage Hunting and Fishing Act,  
2002, Bill 135, *Mr Ouellette***

Mr Bisson .....	417, 428
Mr Gerretsen.....	427
Mr Christopherson.....	428
Mr Stockwell .....	428
Debate deemed adjourned.....	429

## TABLE DES MATIÈRES

**Mardi 28 mai 2002**

### DEUXIÈME LECTURE

**Loi de 2002 sur la chasse et la pêche  
patrimoniales, projet de loi 135,  
*M. Ouellette***

Débat présumé ajourné .....	429
-----------------------------	-----



CA2 ON  
XI  
-D23



No. 11A

N° 11A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

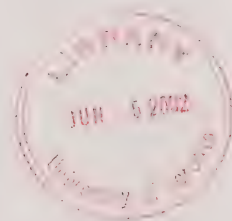
Troisième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Wednesday 29 May 2002**

**Mercredi 29 mai 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 29 mai 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### IAN DAVIDSON

**Mr Rick Bartolucci (Sudbury):** As the provincial representative for the community of Sudbury, I want to congratulate Superintendent Ian Davidson on being promoted to police chief for the city of greater Sudbury.

Ian, who was born and raised in Sudbury, joined the Ottawa Police Service in 1978, where he spent 20 very productive police years. He returned to Sudbury in April 1999 as a senior officer with our regional force. At the time of his hiring, our retiring police chief, Alex McCauley, said it was the expectation of the police services board that Ian would be one of the people who would be considered to succeed him when he retired. Yesterday, our very proactive police services board chair, Andy Humber, announced to our community that indeed Ian Davidson will be our new chief.

Ian, who is a graduate of the Sudbury Secondary School, has a degree from Carleton University, is a graduate of the FBI National Academy and the University of Toronto's Rotman School of Management, has immersed himself in our community since his return to Sudbury.

I know I join all my constituents in congratulating him on his accomplishments. We also want to congratulate his wife, Cathy, and their two children, Brad and Brian, on this accomplishment. Indeed, Ian's strong set of values, his extensive policing skills and his excellent interpersonal skills will serve our community well in the years to come.

#### LONDON KNIGHTS OF COLUMBUS

**Mr Bob Wood (London West):** I rise today to congratulate four Roman Catholic parishes from London: three on their charter nights commemorating the inauguration of the Knights of Columbus organization in their parishes and the fourth on the 10th anniversary of their council. On April 6, 2002, Knights of Columbus Council 10843 from St George's parish celebrated their 10th anniversary with a dinner and dance, at which I brought greetings from the province of Ontario. On June 8, St Martin of Tours and Holy Rosary parishes will celebrate their official status within the Knights of Columbus

organization, and on June 15 St Michael's church will hold their charter night for the Knights of Columbus council.

The Knights of Columbus was founded in 1882 in New Haven, Connecticut, by Father Michael J. McGivney. Its original mandate was to offer financial support to widows and children of deceased members. Today, more than a century later, the Knights of Columbus has become the largest lay organization in the Catholic Church. There are now almost 13,000 councils in the world, which now dedicate themselves to the ideals of charity, unity, fraternity and patriotism.

The order has been called "the strong right arm of the Church" and has been praised by popes, presidents and other world leaders for support of the Church, programs of evangelization and Catholic education, civic involvement and aid to those in need. In the past decade, the Knights have donated nearly \$1 billion to numerous charitable causes and nearly 400 million hours of volunteer service.

I know that all members of the House will join with me as I wish all our Knights of Columbus councils success as they work to fulfill the mission of the order and make life better throughout our communities, province and country.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** Despite our elation last fall in finally persuading the government to increase the financial compensation provided to northerners who must travel outside their own communities for medical care, I must tell you that I continue to be enormously frustrated by the problems many of my constituents face in accessing the northern health travel grant program. Frankly, in light of the story I'm about to tell the House, one can only wonder whether ministry staff are actually encouraged to find ways to deny people benefits, as my constituent should simply not have been turned down.

The story begins in 1995, when Ms Corina Setala was diagnosed with a rare tumour requiring excision. Her family doctor at the time referred her to a surgeon in Toronto, who successfully performed the operation. Ms Setala's travel grant application was approved without any question.

Unfortunately, in November 2001, Ms Setala was told that the tumour had returned. Her new family doctor immediately referred her back to her specialist in Toronto.

Being a responsible and careful person, Ms Setala checked with the Ministry of Health office in Thunder Bay to confirm that this referral would be covered by the travel grant and was assured that it would be. But, stunningly, her travel grant was denied. Despite a very clear letter from her present family physician, the travel grant office has since told her that they will not approve the claim unless they know the reason for the initial referral back in 1995.

Her original doctor has since retired and left Thunder Bay. We don't know how to reach him. But regardless, this is nothing short of ridiculous and cruel. Ms Setala should not be put through this additional anxiety.

The Minister of Health must immediately intervene in this case and move swiftly to see that Ms Setala's travel grant application is quickly approved. This cruel treatment must not be tolerated.

### GALT COLLEGIATE INSTITUTE

**Mr Gerry Martiniuk (Cambridge):** I rise to congratulate the students and staff, both past and present, of Galt Collegiate Institute on the occasion of the 150th anniversary of that school.

The Galt Grammar School, located on a hill overlooking the heritage Grand River, opened its doors in 1852 and is the second-oldest school in Ontario. Many notable people were once GCI students, including former Cambridge MPP Bill Barlow, former broadcaster Peter Gzowski, former federal Finance Minister Donald Fleming, PGA golfer Ian Leggatt, CFRB's Jane Brown and the inventors of IMAX theatre, to name but a few.

This weekend, GCI will welcome former students and teachers back to this distinguished school. The reunion festivities are appropriately named The Tradition Continues.

I salute organizing co-chairs Charles Wilson and Victoria Clark and the hundreds of volunteers who have worked so hard over the past two years. On behalf of Cambridge families and the province of Ontario, I extend best wishes on the 150th anniversary of this historic place of learning. Thank you to everyone involved.

### TRAFALGAR MORaine

**Mr Mike Colle (Eglinton-Lawrence):** Today I'm introducing legislation to get the provincial government to protect the endangered Trafalgar moraine.

The Trafalgar moraine is an incredible ecological bio-region that stretches 20 kilometres from the Niagara Escarpment in the west through to Mississauga in the east, just north of Dundas Street in the beautiful city of Oakville.

The Trafalgar Moraine Protection Act, if passed, will temporarily freeze development on this moraine until the province puts a protective plan in place that identifies and protects the environmentally sensitive features of this region so future generations can continue to enjoy this amazing greenbelt of forest, wildlife, birds and wetlands.

The provincial government can no longer be a bystander and let the OMB and developers decide the fate of this precious 7,600 acres of green space. The province needs to call a time out to make sure proposed changes are compatible with Justice O'Connor's Walkerton report, which calls for protection of watershed areas like the Trafalgar moraine. It is also compatible with the province's self-proclaimed smart growth policies.

With the help of local residents like Renee Sandelowsky, Hank Rodenburg and Iris McGee, who are here from Oakvillegreen today, we are going to be successful. This amazing group of local residents has been fighting to save the Trafalgar moraine for four years. Today they bring their battle to save the Trafalgar moraine here to Queen's Park, and we will succeed. Save, don't pave, the Trafalgar moraine. Keep it green.

1340

### DAVE KNOWLES

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The word "hero" is used quite often nowadays to describe a superstar sports figure. I find that the people who deserve that title the most, the true heroes, are sometimes the ones we hear about the least. This particular hero I wish to recognize, 63-year-old Dave Knowles, hails from Port Dover in my riding.

Captain Knowles's early morning rescue is something that those who witnessed it will never forget. Dave Knowles reacted quickly after hearing a distress signal and noticing a tanker making a sharp turn in the Detroit River on October 23 last year. Realizing that the tanker had just swamped a small mail boat, causing it to roll over, Knowles quickly manoeuvred his vessel toward two men who were hanging on to a life ring. Once close enough, the men were pulled safely aboard. Unfortunately he was unable to reach two others; the captain and a crew member drowned as their boat sank.

Captain Knowles has been honoured by the City of Detroit Fire Department and the Windsor Port Authority for his heroic efforts. I ask members of the Legislature to join them in acknowledging Captain Dave Knowles as a rescuer, as a lifesaver and as a hero in the truest sense of the word.

We in Port Dover feel a little more secure knowing that there are men like Dave Knowles working on the lakes.

### MICHAEL SMITHER

**Mr Steve Peters (Elgin-Middlesex-London):** I rise today to celebrate the life of Michael J. Smither, who passed away yesterday.

During a career spanning more than 40 years, Mike Smither was a well-known local government adviser and an outspoken advocate of open and autonomous local government. Michael recognized that local government is a vital factor in the social, economic and political structure of society. Founded on the principles of community



of interest, access and accountability, it remains closest to the people, both in proximity and value.

Michael was born in England and came to Canada, serving first as assistant clerk-treasurer in Renfrew. In 1964 he joined *Municipal World*, retiring in 2001 as the editor and publisher—*Municipal World* having been continuously published since 1891.

For 35 years he was an adviser to local government and municipal associations. He delivered hundreds of lectures and addresses all across this great country. He was an author and co-author of numerous books and hundreds of articles.

Just last week, Michael's contributions were recognized with the Robert Baldwin Award, by the Ontario Municipal Administrators' Association. This prestigious award recognizes individuals who have demonstrated a passion for local government and have made a significant contribution to the betterment of municipalities.

Michael Smither was a good friend. I considered myself at the time to be the luckiest mayor in Ontario because I could pick up the phone and call the great guru any time.

On behalf of the Ontario Legislature and the municipalities of this province, I ask that all of us pay tribute to Michael Smither and extend our condolences to his family.

#### SAVE OUR SCHOOLS DAY

**Ms Marilyn Churley (Toronto-Danforth):** This is a call to arms to all who care about public education in this city.

At 2 pm this Sunday, June 2, here at Queen's Park it is Save Our Schools Day. I urge everybody who cares about our public education system to come out here to Queen's Park at 2 o'clock on Sunday. Your presence can make a difference, so please come out.

Education in Toronto is paid for by our property taxes, but the amount people see on their bills does not come to the school board. Instead, it is all taken by the provincial government, which gives only part of that money, our money, back to the board of education to pay for our needs in this city.

The government has finally admitted that the funding formula they brought in is flawed and have announced about \$40 million of new money—although some of it, I understand, is not new—to the Toronto District School Board. However, there is still about \$90 million of unfunded programs and services that may have to be eliminated, on top of all the other cuts that have happened previous to this, if the money isn't forthcoming. We are talking about more cuts to educational assistants, more cuts to classroom computers, schools closing, vice-principals cut, school secretaries cut, on and on.

I want to thank all those who are involved in organizing the Need to Succeed public school budget. They have organized the day on Sunday.

Please come out and support this very vital rally on Sunday.

#### MUSKOKA STEAMSHIPS

**Mr Norm Miller (Parry Sound-Muskoka):** Steamships have been a part of Muskoka's tourism heritage ever since they started transporting guests and supplies to the summer resorts on our beautiful lakes more than a century ago. Gravenhurst is well known for the historical mail ship *Segwun*, the oldest operating steamship in North America, which is still providing historic cruises on lakes Rosseau and Muskoka, along with the 1915 steam yacht *Wanda III*, once owned by Mrs Timothy Eaton.

I'm glad to tell you that the *Wenonah II* set sail for its first public cruise on May 17, 2002. This brand new 127-foot ship is built in the style and elegance of the famous passenger vessels that sailed our region's lakes in the early 1900s. It is the first new ship built in the region in more than 100 years.

"Wenonah" means "firstborn daughter" in Ojibwa, and it was the name of the navigation company's first ship, built in 1866. The *Wenonah II* will be the company's workhorse, and more than doubles the carrying capacity of the Muskoka fleet.

It has state-of-the-art construction and operating systems and preserves the historical design features of the Muskoka steamship era. The people with the vision to inspire this project and those with the resources to carry it to completion deserve credit for this outstanding accomplishment.

The *Wenonah II* means more jobs and business for our riding of Parry Sound-Muskoka and is a tremendous addition to our province's major tourism attractions.

#### VISITORS

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, I want this House to know that visiting us today are Jason Cruise, Nicole Brown, Spencer Brown and Helen Brown, all of Niagara region.

#### MEMBER'S PRIVILEGE

**The Speaker (Hon Gary Carr):** Earlier today, the member for Beaches-East York, Mr Prue, provided me with written notice of a point of privilege, as required by standing order 21(c). I would like to thank the member for giving me sufficient time to review this matter.

I wish to advise that I will be deciding on the matter without further hearing directly from the member at this time, as standing order 21(d) permits me to do.

The member's point of privilege relates to difficulties he's encountered with the National Advertising Standards Council, specifically its refusal to deal with a complaint launched by the member.

While the member alleges that the refusal by the National Advertising Standards Council somehow curtails the freedom of speech of current and future members of this House, he fails to explain how this is so.

In addition, the member will know that privilege attaches only to the member's parliamentary duties and not to subsidiary duties away from Parliament. I cannot find in the member's letter any reference to the manner in which the complaint and the subsequent refusal to pursue it are related to the member's parliamentary duties. In the absence of such crucial information, I have no alternative but to find that a prima facie case of privilege has not been established.

### VISITORS

**Mr Ernie Parsons (Prince Edward-Hastings):** I'd like to welcome to the Legislature my sister Kendra, in the members' gallery, and I do this knowing it will embarrass her a great deal.

### INTRODUCTION OF BILLS

#### RELIABLE ENERGY AND CONSUMER PROTECTION ACT, 2002

#### LOI DE 2002 SUR LA FIABILITÉ DE L'ÉNERGIE ET LA PROTECTION DES CONSOMMATEURS

Mr Stockwell moved first reading of the following bill:

Bill 58, An act to amend certain statutes in relation to the energy sector / Projet de loi 58, Loi modifiant certaines lois en ce qui concerne le secteur de l'énergie.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1349 to 1354.*

**The Speaker:** Will the members kindly take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Eves, Ernie  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve

Gill, Raminder  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Jackson, Cameron  
Johns, Helen  
Kells, Morley  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McDonald, Al  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill

Mushinski, Marilyn  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.  
Crozier, Bruce

Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Hoy, Pat  
Kormos, Peter  
Lalonde, Jean-Marc  
Marchese, Rosario  
Martel, Shelley

McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Prue, Michael  
Pupatello, Sandra  
Ramsay, David  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 51; the nays are 35.

**The Speaker:** I declare the motion carried.

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, I rise on a point of order pursuant to standing order 69(b) and wish to give the House notice that the official opposition will be filing a notice of reasoned amendment before noon tomorrow with respect to the bill that was just introduced and passed first reading by this House.

**The Speaker:** I thank the member for that.

The minister for a short statement on the bill?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** In ministers' statements.

#### TRAFALGAR MORaine PROTECTION ACT, 2002

#### LOI DE 2002 SUR LA PROTECTION DE LA MORaine DE TRAFALGAR

Mr Colle moved first reading of the following bill:

Bill 59, An Act to protect the Trafalgar Moraine / Projet de loi 59, Loi visant à protéger la moraine de Trafalgar.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Mike Colle (Eglinton-Lawrence):** Thank you, Mr Speaker. As you well know, this is a very precious and fragile bioregion north of the city of Oakville that is under imminent threat from developers' bulldozers. With this bill, there would be a temporary freeze in place on development until the provincial government puts in a protective plan to ensure that the natural areas, the wetlands and all the endangered species in this bioregion are protected and that it will remain green and natural for generations to come, if this bill is passed.

**Mr Dalton McGuinty (Leader of the Opposition):** On a point of order, Mr Speaker: In light of the government's decision today to introduce hydro legislation that would allow for the sale of Hydro One, I would like to give members of the Legislature notice that I am filing a



want of confidence motion. I believe the people of Ontario should have a say in this matter by means of a general election.

**The Speaker:** I thank the member for that information.

1400

## STATEMENTS BY THE MINISTRY AND RESPONSES

### COMPETITIVE ELECTRICITY MARKET

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The seamless and cost-efficient generation, transmission and distribution of electrical power are integral to our standard of living and our economy, and they affect virtually every facet of our lives every day.

For many years, Ontario's residents could take their supply of electricity for granted. But years of mismanagement under the old Ontario Hydro have left the status quo impossible to maintain. Crucially needed investment in transmission infrastructure has been neglected over a period of many years, and the combined Ontario Hydro debt and other liabilities had reached a staggering \$38 billion by 1999. Moreover, our electricity transmission infrastructure needs to be renewed and expanded in a fiscally responsible manner to help keep Ontario economically competitive. In a word, what it needs is investment.

Ontarians deserve better than what they have been saddled with. They and their children should not have to continue to pay for the mistakes of the past well into the future.

**Mr Mike Colle (Eglinton-Lawrence):** Call an election.

**Hon Mr Stockwell:** I've heard you say, "Let's call an election" before, and when we did, nothing changed.

*Interjections.*

**The Speaker (Hon Gary Carr):** Stop the clock, please.

Would the minister continue his statement, please.

**Hon Mr Stockwell:** That is why I'm proud to stand up in this Legislature and announce that the government is introducing legislation that would address the four restructuring objectives outlined earlier this month by Premier Ernie Eves.

Those objectives are: (1) to ensure an efficient supply of energy that is competitive for the people of Ontario and in the international marketplace; (2) to ensure that the necessary capital is provided to rebuild and modernize the transmission and distribution of power in Ontario; (3) to bring market discipline to Hydro One, the province's transmission company, and to eliminate the current \$38-billion debt and liabilities and prevent any possibility of the recurrence of such a staggering debt; and (4) to achieve these goals while protecting consumers.

During public consultations held on this issue earlier this month, the government heard what Ontarians had to

say about what this legislation might include. Along with these consultations, we have received many calls and written submissions on this issue. We have heard viewpoints from many different people and have listened to them all. The legislation being introduced today has benefited immeasurably from the ideas that Ontarians have brought forward.

*Interjections.*

**The Speaker:** This is a warning. I'll pick some people out and name them. Last warning to everybody. We can't continue like this.

Minister, sorry for the interruption once again.

**Hon Mr Stockwell:** The government's proposed legislation would clarify the province's authority to determine the future of Hydro One as well as give the province more flexibility to meet our four objectives.

The recent superior court ruling effectively meant that the province could not sell its own assets. Our position is that we do have the authority, and so we are appealing the court decision.

We are moving forward today with a bill that would allow the government to determine the future of Hydro One.

During the consultations, people told me that they understood the debt problems and they wanted the proceeds from any potential disposition to go to the debt. I am proud to say that the bill reinforces the government's commitment to ensuring that the net proceeds of any disposition option would go toward paying down the Hydro debt.

Ontarians have also stated they want us to protect the public interest by ensuring the transmission corridors would remain available both for important public infrastructure uses as well as transmission, and this government has listened. Should this bill be passed, the government would take ownership of the transmission corridor lands now owned by Hydro One to ensure they remain available for public uses other than transmission. The company would hold a statutory right to continue the use of the lands for transmission purposes, which would take primacy over any other use. The company would continue to be required to apply to the Ontario Energy Board for permission to expand transmission on these lands.

During the past month, the people of Ontario told us that they want increased consumer protection. Again, this government has listened. That's why this bill includes reforms to strengthen the Ontario Energy Board's powers against unfair marketing and retailing practices. Should it be passed, the bill would enact a new energy consumers' bill of rights which would place new requirements on gas and electricity retailers dealing with consumers, including: (1) government authority to prescribe the content and presentation of contracts to ensure that important information is presented clearly and factually to the consumer; (2) prohibitions and unfair practices; (3) and prohibitions on false advertising.

The bill would also provide the Ontario Energy Board with new enforcement powers, such as enhanced power

to order compliance and the power to order administrative penalties for these new offences.

The bill would also enhance a consumer's cancellation rights after assigning a contract, in that the existing 10-day right to cancel would be replaced with a 30-day period and that contract would only be effective if the customer reaffirmed it. In addition, the customer would have to reaffirm future contract renewals; the negative renewal option would no longer be an option.

In response to input brought forward at recent consultations, the bill contains amendments to add to consumer protection in the operation of a new electricity market. The proposed amendments include strengthening market surveillance powers by ensuring the Market Surveillance Panel of the Independent Electricity Market Operator has timely and ongoing access to the information needed to carry out its very important surveillance work—monitoring market activity to identify inappropriate market conduct and protect customers.

Ontarians have told us as well that they want new measures to protect the environment on whose quality we will all depend. This bill would help protect our environment by strengthening the rules governing water power generators. The Ministry of Natural Resources has a lead on these amendments to the Lakes and Rivers Improvement Act. These measures are key to the economic, social and environmental sustainability of a significant renewable energy source. The province's approach to water management planning, to which the present amendments give teeth, will continue to strengthen Ontario's rich hydro power legacy and facilitate a competitive energy market.

By implementing the proposed changes, the government will ensure that water power industry manages water levels and flows responsibly. Fish habitat and other ecosystems would be protected. Recreational and other users would have access. A balanced approach to water power resource management would help ensure Ontario continues to offer an attractive climate for new investment and jobs, the majority of which are expected in northern Ontario.

Amendments would also enable the government to establish an environmental information tracking and reporting system which would allow consumers to make informed choices about electricity offerings.

Let me again convey my pride that the government is introducing this legislation after having heard from so many Ontarians in the past several weeks. Our public consultations are not over. The people of Ontario will soon have a chance to provide their input on this proposed legislation and I look forward to hearing their opinions and ideas. To those who attended the hearings or submitted their ideas, either in person or by phone or in writing, you have my gratitude for helping shape both this legislation and the future of Ontario's electricity market.

1410

**Mr Dalton McGuinty (Leader of the Opposition):**  
Today we close the loop on one of the most cynical ploys

ever used by any government of any political stripe, and I will tell you specifically what I'm referring to. On the morning of May 2, a day during which two very important by-elections were being conducted in our province, the headline on the front page of the *National Post* read, "Eves Says Hydro Sale 'Off the Table'"; and on the front of the *Toronto Star* of May 2, "Eves: Hydro Sale 'Off Table.'" This is one of the most cynical ploys that has ever been used by any government of any political stripe in the history of this province—this from a government that claims it's going to turn over a new leaf, that it's going to be both responsible and responsive. This is a government that now claims that listening is no longer a sign of weakness but rather that it has become a hallmark of courage.

Having said all that, this smacks of the kind of arrogance that so wonderfully characterized the Mike Harris government. Ontarians should understand that we may have a new driver, but it's the same old gang, it's the same old bus and it's going in the exact same direction.

In keeping with their tradition, the government has given us a very lengthy bill here, and what we've been able to glean in a very few short moments is essentially that they're asking for a blank cheque. What they're saying is, "Don't worry about it. Just pass this bill. Ram this thing through before the end of the month of June," and sometime during cover of darkness, when people aren't paying attention and they're more worried about the barbecues in the backyard, they're going to make their decision with respect to the future of Hydro One.

What a responsible, responsive government should do: from time to time they want to do something that represents such a dramatic departure from the past, that represents such a fundamental change in public policy that the right thing to do, the responsible thing to do is to take it to the people and give them their say by means of a general election.

Do you know why they won't do that? Because they haven't got the guts to do it and because they have in fact heard what Ontarians have been saying, and they've not been saying what the minister would have us conclude they've been saying. They've been saying, "You know, folks, you can do a lot of things, you can make a lot of changes, you can do a lot of things with the province of Ontario and you've done that, and much of that we do not in any way support, but we do not want you to go ahead with the sale of Hydro One."

This government has in fact heard that. They've heard that but they refuse to listen to it.

Selling Hydro One is a bad idea. It is a natural public monopoly. It is in fact generating a profit for the province of Ontario. Those profits are being used as an investment in the future. If you and I don't like a particular highway because it is tolled, we can get off that highway and use another one. There is only one electricity highway in Ontario: Hydro One. It is a natural public monopoly.

This government, after all this time, has yet to make a business case for the sale of Hydro One. This is an embarrassment. This minister, this Premier and this



government have not been able to place before either this Legislature or the people of Ontario any kind of rationale justifying the sale of Hydro One. We understand that it's perfectly in the interests of their Bay Street pals. We understand that this is in keeping with Mike Harris's marching orders. We understand that Premier Ernie Eves hasn't got the guts to say no to Mike Harris or the guts to say no to his Bay Street friends. We believe that this government is going to be paying very, very dearly for this decision.

We encourage government members to reconsider, to understand what it's going to mean to you in your individual ridings and in your seats and in your chances for re-election. Talk to the folks back home. They want an election on this issue and they want it now.

**Mr Howard Hampton (Kenora-Rainy River):** Well, let me begin by asking, are these the same Liberals who on December 12, 2001, said it was a good idea to sell Hydro One?

*Interjections.*

**The Speaker:** Stop the clock, please. Reset it to five. We've reset the clock to five.

**Mr Hampton:** This is really for all of you who are at home, because this decision by the government is going to affect your hydro bill, it may well affect your property taxes and it may well affect your job.

Let there be no mistake about what the government is saying here. The government intends to sell off a very important part of our public hydro system. The government is going to bring this legislation in, despite all of its words and all of its propaganda over the last month and a half. What this legislation means is that this government intends to sell off the transmission system. They will pass the legislation this spring. They will force it through the Legislature. This summer their intention is, while everyone is focused on other issues, that they will quietly do the dirty deal. That's their intention. I'm here to tell you that New Democrats will do everything we can to stop this government in its tracks, because this is an abominable decision.

I say to the government, if you think you have the support of the people of Ontario on this, if you believe the people of Ontario support your government in taking this step, then do the decent thing: call an election and let the people decide, because this is not your asset and this is not Eleanor Clitheroe's asset. This was built by the people of Ontario over generations. It is one of the most valuable enterprises, one of the most valuable public assets that we own. No government has the right to sell it off without consulting the people of this province. So do the decent thing: call an election.

I want to say to people again, when you read the fine print of this, what is very clear is that this is going to be another Highway 407. Remember before the last election the government sold Highway 407 for what now turns out to be peanuts? What did they do with the money? They put the money into a pre-election slush fund. When you read the accounting details of this deal, this government, the Conservative government, will keep the first \$4 billion from the sale of Hydro One and put it into

a pre-election slush fund. In other words, what's really going on here is that this government is going to sell one of our most important public assets in order to try to buy the next election. That's really what is going on here.

Then they talk about consumer protection. They say they're going to get tough on any new private contracts that are signed for the retailing of electricity. Ask yourself this: what about the almost one million people who have already been swindled, who've already been misled, who've already been lied to or already had their contracts forged? What is the government going to do for them? Are they allowed to void their contracts? No, not at all. Those people don't matter to this government. This government is more interested in protecting its corporate friends than it is interested in looking after those consumers who have been lied to and manipulated.

**1420**

Then, finally, within this legislation there is provision for more exemption from the freedom-of-information act. Do you know what it was that allowed Eleanor Clitheroe and the other Conservative cronies over at Hydro One to raise their salaries to the tune of a \$6-million payout without the public knowing about it? It was that this government passed legislation which exempted Hydro One and Hydro One salaries from disclosure via freedom of information. So what are they going to do now? They're going to make more of the details offside from freedom of information. That the same process that brought you people at the trough taking \$6-million payouts from the public, the government now says is going to protect you as consumers.

Let me tell you what it's going to do. It's going to allow this government to sell off one of the most important public assets to its friends on Bay Street, pocket \$4 billion, put it into a pre-election trust fund to be used to try to buy the next election, and then put people in Ontario in the position of having to pay higher and higher prices for our hydro because more and more of it is going to be exported.

Do the decent thing: call an election. Let the people decide.

**Mr Steve Gilchrist (Scarborough East):** On a point of order, Mr Speaker: I'm just looking through our standing orders and the Legislative Assembly Act, and I wanted to remind the members opposite that they don't have to rely on the government. Section 25 makes it clear. Tender your resignations, run in a by-election, and we'll see what the electorate believes about all this. Put your money where your mouth is.

**The Speaker:** That's not a point of order.

It is now time for oral questions. The leader of the official opposition. Sorry, the member for Beaches-East York on a point of order.

#### MEMBER'S PRIVILEGE

**Mr Michael Prue (Beaches-East York):** Actually, Mr Speaker, it's a point of privilege, if you will allow me to make it. I understand you ruled earlier, but I hope you've had a chance to read my documents—

**The Speaker (Hon Gary Carr):** We did get the additional information you gave us, but there was—the information gave us a chance to take a look at it, and I did rule on that. We'll take a look at some of the information, but we're not going to allow you to stand and read it. I will review it. The standing orders allow me to do that. I thank you for giving it to me.

What I would encourage all members to do, if they do have a point of privilege, though, is to give us as much information as you can beforehand, to be able to take a look at it. But we're not going to get into a situation where you just give a point of privilege, an advisement of it, and then get a chance to get up in the House and go off and do things that should be more readily participated in in debate. But I will take a look at the additional information he has given me.

It is now time for oral questions.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** Premier, anybody who spent any time in this province during the past six months knows that, at a minimum, the proposed sell-off of Hydro One is very controversial. They will also know that from a more realistic level, the overwhelming majority of Ontarians are opposed to the sell-off of Hydro One.

I'm asking you, Premier, someone who claims he's different from the last guy, that he wants to act in a responsible way, that he's a good listener: where is it that you get your mandate to sell off the Hydro One that belongs to the people of Ontario?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Who said we were selling Hydro One?

**Mr McGuinty:** Premier, we can do this the long way if that's what you prefer. Your bill that your minister just introduced leaves open the possibility of a full sale of Hydro One. Are you now telling us, Premier—as I say, we can do this the long way, the way we've done it in the past—that you're ruling out the sale of Hydro One?

**Hon Mr Eves:** The leader of the official opposition talks about anybody who has been around the province for the last six months. You had a great deal of time, as I recall. You almost took up permanent residence in the riding of Nipissing in the recent by-election. You ran against Al McDonald on this very issue. How did you do in the by-election?

*Interjections.*

**Mr David Ramsay (Timiskaming-Cochrane):** You lied to the people.

**The Speaker (Hon Gary Carr):** The member for Timiskaming-Cochrane, I would ask you to withdraw that. I heard you yell across and say, "You lied." I would ask him to withdraw that or I will ask him to withdraw from the chamber.

**Mr Ramsay:** I withdraw.

**The Speaker:** I thank the member.

It is now final supplementary for the leader of the official opposition.

**Mr McGuinty:** Speaker, it's my first supplementary.

**The Speaker:** First supplementary. I apologize.

**Mr McGuinty:** Premier—

**Hon Mr Eves:** No, it's the second.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** It's your second. You can't even count.

**The Speaker:** Stop the clock. I thank all the members—

*Interjections.*

**The Speaker:** Yes, we got it. Thank you very much. That's why we have the two-referee system: to be able to go upstairs. We've checked. You're right; it is the final supplementary for the leader of the official opposition.

**Mr McGuinty:** If we ever needed confirmation, we now know that Premier Ernie Eves will say anything to anybody at any time and vary that message according to circumstances.

In case the Premier forgets, I'll remind him about the headlines that appeared on the front of the National Post on May 2: "Eves Says Hydro Sale 'Off the Table.'" Front page of the Toronto Star on the same date, the date of the by-elections: "Eves: Hydro Sale 'Off Table.'" This man is prepared to say anything at any time to anyone and to vary the message according to the circumstances to serve his purposes.

Premier, you still haven't answered the question. Is the sale on the table or off the table, because the bill that you introduced today says it's on the table.

**Hon Mr Eves:** All the legislation introduced by the Minister of Energy today does is that it puts the province of Ontario in the position it always thought it was in with respect to the potential disposal of assets. It doesn't make a decision about a sale; it doesn't make a particular—

*Interjections.*

**The Speaker:** Sorry to interrupt the Premier. It's too noisy. Would the Premier take his seat, please? We'll just wait.

Sorry for the interruption, Premier. You can continue.

*Interjection.*

**The Speaker:** You're done? New question.

**Mr McGuinty:** So we are somehow supposed to take comfort in this fact that this Premier has now said that all the options are on the table; they simply haven't made a final decision yet? The people of Ontario made a final decision on this matter a long time ago, Premier. They want an election on this issue.

This is a fundamental change in public policy. You're proposing selling off Hydro One. What we're asking you to do is the right thing in the circumstances. We want you to deliver a message now, not to a specific audience but rather to the people of Ontario. We want you, Premier, to commit to holding a general election so that all Ontarians can pass judgment on your plan to do whatever the heck



you intend to do with Hydro One. Will you call that election?

1430

**Hon Mr Eves:** The leader of the official opposition protesteth too much. He might get exactly what he asked for, in due course.

*Interjections.*

**Hon Mr Eves:** A lot of frothing going on over there.

*Interjections.*

**The Speaker:** If you'd rather shout than ask questions, I'm sure the government would love it if we didn't have question period today, and that's what we're going to do: we're not going to have any questions until it's quiet in here. If it isn't, the government won't be held accountable in question period.

Sorry again for the interruption, Premier.

**Hon Mr Eves:** There's nothing to have an election about. We are clarifying the rules of ownership of the province of Ontario and its ability to dispose of an asset. The Minister of Energy has also further strengthened consumer protection in this legislation. He proposes to protect the corridor lands that you stood in this House no more than a week ago and asked to be protected. It's in this legislation. You have an opportunity to vote for it. It will be very interesting to see if you stand up and vote for exactly what you asked for in this Legislature about a week ago.

**Mr McGuinty:** Premier, if you think we're going to be voting for your bill, which effectively gives you a blank cheque so that, behind closed doors in some smoke-filled room over the course of the summer, over some very expensive wine and some thick steak, you're going to make a decision about the future of Hydro, you've gone another think coming.

You're asking us to give you a blank cheque, Premier. We are not going to do that. It would be irresponsible on our part to do that, just as it is totally irresponsible on your part to ask us for it. We're asking you to do the right thing. This represents a profound change in public policy. You have no mandate for this. You have no mandate. You first introduced this concept just before the Christmas break. You've been following the marching orders delivered very clearly to you from Bay Street. Do the right thing, Premier, if you've got the guts to do it: call an election.

**Hon Mr Eves:** The leader of the official opposition is blustering about absolutely nothing. You're against property ownership rights for the province of Ontario. You don't believe that the province of Ontario has the inherent ability to dispose of its assets. That's what we're talking about here. There is no specific sale of Hydro One; there is no specific IPO of 100% of the shares of Hydro One; there is no specific thing that we are proposing in this legislation. For the honourable member's information, last night for dinner I had a hamburger at Wendy's in Beamsville for.

**Mr McGuinty:** Premier, then I ask you, what's the urgency here? If you still haven't made up your mind with respect to the future of Hydro One, you still do not

know what it is that you want to do with respect to Hydro One, then why do you need this bill? Let's take our time about this. There's no particular rush. Listen, why not just be straight with the people of Ontario? You've made a decision; you don't care what they have to say. Yes, there's going to be the charade of public hearings, as there has been in the near past, but you fully intend to proceed with the sell-off of Hydro One.

What we're asking you to do, understanding now that the truth is out—we know what you're really all about; you're putting this bill forward so you get a blank cheque and you make a decision under cover of darkness during the summer—knowing that the jig is up, why don't you do the right thing, Premier? Call an election. Let the people of Ontario pass judgment on your plans.

**Hon Mr Eves:** The leader of the official opposition could barely get the last comment out without a smile or a smirk on his face. The reality is, we are deciding to do nothing here today. We are declaring what we thought the property rights were of the province of Ontario with respect to assets and we're clarifying them. That's what this legislation proposes.

Read the bill. Nowhere in the bill does it say that we are selling Hydro One. You won't find it in the bill because it's not in here. That's not what we're doing. We are clarifying ownership rights. I understand that socialists don't understand about property ownership, that you should have the right to dispose of property that you own, but that is what we are doing. We are clarifying what we think was an erroneous decision of Mr Justice Gans. That's all we are doing.

**The Speaker:** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Section 49 of your proposed legislation, if passed, gives you the authority to dispose of Hydro One. So my question to you today is, since you seek the legal authority—and the words are right out of the act—to dispose of Hydro One, would you simply say to the people of Ontario today, without any exception or other words, that you are not going to sell Hydro One?

**Hon Mr Eves:** There are lots of things that this proposed legislation has in it. It is clarifying the proprietary rights of the province of Ontario with respect to an asset that Mr Justice Gans ruled the province of Ontario does not have the right to deal with.

**Mr Hampton:** Premier, it's very, very clear in section 9. You seek to give yourself the authority to dispose of Hydro One. So let me ask you this: if you don't intend to use that authority, would you agree to take it out of the bill, as proposed?

**Hon Mr Eves:** People and individuals and corporations and provinces and government agencies that own property have the right to do many things with it. He's talking about one specific one out of many. They are all options for the government, as they are for individuals, as they are for corporations, as they are for legal entities.

**Mr Hampton:** This concerns what is probably the most important public asset for the people of Ontario, the capacity to exercise some control over our electricity

system and whether our electricity is sold here to Ontarians or whether the majority of our electricity gets exported out of the province. I'm simply saying to you that I think you owe it to the people of this province to be very clear with them. Will you tell them definitively here that you are not going to sell Hydro One? Because the clear implication is that you want legislation that allows you to sell Hydro One. We listened to your Minister of Energy, who says that the status quo, that is, ownership by the people of Hydro One, is not on. So the only conclusion we can draw is that you intend to sell Hydro One. I'm asking you to clarify. Stand up and tell people you do not intend to sell Hydro One; you are not going to sell Hydro One. Will you tell people that?

**Hon Mr Eves:** This legislation clarifies ownership rights of the province of Ontario with respect to an asset named Hydro One. It also further strengthens consumer protection with respect to electricity in Ontario. It also protects corridor lands and proposes to transfer them to the province of Ontario to protect those lands, as the leader of the official opposition and others have asked us to do.

There are lots of things that this legislation proposes. It does not pick a lane, it does not pick a particular type of action that the government is proceeding with. It does clarify the government's right to do whatever it wants with an asset of the province of Ontario, as surely he must think the government and the province of Ontario have the right to do.

1440

**The Speaker:** New question.

**Mr Hampton:** To the Premier: we looked at the election platform that you ran under in the last election, and nowhere does it say in that document anything about selling off Hydro One. Nowhere does it mention privatizing Hydro One. So can you tell us where you would get the mandate from the people of Ontario to sell off our most important public asset when in the last election campaign it was not even mentioned, it was not even referred to? Where do you get the mandate to sell off our most important public asset, since you refuse to rule that out here today?

**Hon Mr Eves:** I would advise him to wait until he sees which direction the province of Ontario is going in with respect to Hydro One, and then he will be able to either criticize, agree with, comment on, amend or do whatever he wants. But this bill does not do that, the one that was introduced today.

**Mr Hampton:** Premier, you don't have a mandate from the people to do this, yet you want legislation that gives you the authority to sell Hydro One. Your Minister of Energy says that the status quo, retaining public control over it, is not on. So I think the only conclusion people can draw is that you, your government, intend to sell Hydro One.

So I'll ask you again. Either tell the people now that you are not going to sell off Hydro One, or have the decency to call an election and let the people decide.

**Hon Mr Eves:** If and when there's a need to call an election, I'm sure we'll do the appropriate thing at the

appropriate time. But right now we're introducing legislation to clarify ownerships that the province of Ontario has in a certain asset, as they do in any other asset, as we thought we did with respect to this asset.

Mr Justice Gans, however, is of a different opinion. He doesn't think the province of Ontario has the ability to dispose of, or in any way deal with, an asset that it owns in the name of the people of the province of Ontario. We happen to disagree.

Now, is it the presumption on the other side of the House from both opposition parties that the province of Ontario does not have the ability to deal with any asset that the province of Ontario owns? If that's their case, they should say so.

**The Speaker:** New question. Leader of the official opposition.

**Mr McGuinty:** Premier, I believe that the people of Ontario own Hydro One, and they're the ones who should make any decision with respect to the future of Hydro One, and not you.

The Premier would have us believe today that this is merely some minor housekeeping legislation, that it's mostly an academic, esoteric exercise and will have no real impact in terms of what this government plans to do. We don't buy that. We don't buy that for an instant.

Premier, you have specifically said that there are five options on the table. There's an IPO, an income trust, a not-for-profit corporation, a lease and a strategic sale. Can you tell us today, Premier, which, if any, of these are no longer on the table?

**Hon Mr Eves:** We have four principles that we believe are essential to the future of the province of Ontario and with respect to the future of electricity in Ontario. We are going to be guided by those principles. He will learn soon enough which direction we choose. But we are (a) consulting with the people through consultation that the Minister of Energy has already had, and (b) this bill will be going out to committee. It will be having public hearings. It will be dealt with before the committee. And then, when the government decides which lane it's choosing and which decision it's going to make, you'll be the first to know; trust me.

**Mr McGuinty:** What the Premier is effectively saying is that they'll make up their minds behind closed doors and they will extend us the courtesy of telling us what the decision is after they've made it.

This bill is not some kind of an administrative, detail fixer-upper. This is about giving this government the authority to make a decision about the future of Hydro One, including the sell-off of Hydro One.

Premier, you tell us that you're different. You tell us that you are very different from the last guy. Then start listening. The people of Ontario are very concerned about your plans for their Hydro One. They don't want you to sell off their Hydro One. They're concerned about what it's going to mean to their rates. I'm talking about families and small businesses in particular.

Premier, I ask you again. If you feel so strongly about the sell-off of Hydro One, if you think this is integral to



the future prosperity of our province, it is so important to our families and our businesses, then put it all on the line and call an election.

**Hon Mr Eves:** To the leader of the official opposition, that is not what this is about. But if he—

*Interjections.*

**Hon Mr Eves:** It is not what it's about. But if the leader of the official opposition wants to talk about people changing their positions and changing their minds, on December 12 of last year, Liberal leader Dalton McGuinty said that privatizing Hydro One was the right move, but it should be done following an open debate in the Legislature. Where do you stand today on the issue?

### BIG TICKET LOTTERY

**Mr Frank Klees (Oak Ridges):** My question is to the Attorney General and it relates to the Ontario Lottery and Gaming Corp. Minister, the latest marketing initiative of the Ontario Lottery and Gaming Corp comes in the form of what is referred to as the Big Ticket lottery. This is a lottery that comes into direct conflict with a lottery that has been developed and promoted by many of Ontario's charities.

Minister, do you agree that the Ontario Lottery and Gaming Corp, which is already generating in excess of \$700 million a year through its lotteries, should not be in competition with charitable foundations in this province, and will you agree to direct the Ontario Lottery and Gaming Corp to withdraw this lottery in the interest of Ontario's charities?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the honourable member for raising this important issue. I should say that there have been other members who have raised this issue from time to time. I have also heard from a number of charities and a number of associations that benefit from those charities, and it is an issue that I am examining now. It is an issue that I will say publicly I have some concerns about.

I have undertaken to a number of individuals, and I'm certainly prepared to say to the honourable member, that I will not be proceeding quickly to reinstate any type of lottery similar to the one referenced by my friend a moment ago.

I have arranged for meetings to take place with a number of the interested parties. In fact, this Friday I'll be meeting with the Heart and Stroke Foundation, the Princess Margaret Hospital, the Canadian Cancer Society and the CNIB to discuss this matter further.

**Mr Klees:** Following your meeting, during which I am assuming, Minister, that these organizations will present you with evidence that in fact this Big Ticket lottery has been undermining their fundraising initiatives, I would ask you to commit today that following the receipt of such evidence, you will direct the OLG to cease and desist, to withdraw from any further issuance of a Big Ticket type of lottery in this province.

**Hon Mr Young:** Indeed, I am going to seriously consider the suggestion made by my colleague. I will be taking into account what he had to say today and what I will undoubtedly hear at those meetings.

It's also important, though, to remember that as a province, we benefit greatly from the gaming industry, including lotteries. Well in excess of \$1 billion each and every year goes toward hospitals and community groups and charities through the Trillium Foundation and other sources. I think it is important for all the honourable members to keep that in mind. We have to find the right balance.

### COMPETITIVE ELECTRICITY MARKET

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Premier and it concerns hydro policy. Premier, imagine that I am a senior citizen in Ontario today and I consume and pay for, on average, \$1,200 of electricity annually. I note that in this last 12-month period, my residential electricity bills have increased under your watch and the watch of your predecessor by about 15%. I hear you today announcing that the government is going to do some things about hydro policy for the future, so I'm trying to imagine what this is going to mean to me, the Ontario senior on a fixed income looking at a \$1,200 annual bill that has just gone up by 15% in the last 12 months.

With that senior citizen, that consumer, in mind, let me ask you this question: when am I going to know from you in specific terms what the Ernie Eves policy is going to be with respect to the future of Hydro One, fully understanding that I, as the consumer, am going to pay the bill one way or the other?

1450

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** What you will have in the bill today, if you are the senior the honourable member purports to be for the purposes of this question—you will know that consumer protection and the Ontario Energy Board's power to regulate and control rates in the province of Ontario is strengthened by this bill.

**Mr Conway:** I've been reading the papers, and as a senior citizen on a fixed income, I know that under your watch I have to potentially pay a multi-million dollar golden parachute for some woman named Eleanor Clitheroe. I've been reading the papers, and I find out that the Pickering deal, the refurbishment of Pickering A, that was supposed to cost \$800 million is now at \$2.2 billion, almost certainly on its way to \$3 billion.

Premier, you have given me a statement today that is, in a sense, the envelope. I don't have the letter. I don't have the content. Let me ask you very clearly, with the customer in mind, when are you, as leader of this government, going to lay before the consumers of Ontario and this Legislature a detailed and specific policy with respect to your plans for the future of the electricity highway and how that plan is going to serve the public interest and the consumers' interest?

**Hon Mr Eves:** The honourable member can rest assured that in the future, for the seniors and for others in the province of Ontario, with respect to electricity rates, they won't be the 94% that they went up while the Bob Rae and David Peterson governments were in power.

### APPRENTICESHIP TRAINING

**Mr R. Gary Stewart (Peterborough):** My question is for the Minister of Training, Colleges and Universities.

I am fortunate to represent the constituency of Peterborough, a riding that is home to Sir Sandford Fleming College. This year, through the apprenticeship enhancement fund, our government will invest \$112,208 in this college. This money was put forward to the general carpentry program for the purchase of new saws and equipment, which resulted in the opening of 38 new seats.

#### *Interjections.*

**Mr Stewart:** Mr Speaker, the people of Peterborough would sure love to hear this question.

**The Speaker (Hon Gary Carr):** Order. The people who were doing the yelling and the laughing, if that's who you mean, were having a little bit of a joke. But it was your own members, not the opposition, who were making all the noise in that. I will add that it was the Minister of Environment and Energy, on the way out, who was yelling across. I couldn't even hear you for him standing up in my way. So if you want me to stand up and interrupt you with your own members, I can do that.

I'm hopeful all members will be patient with everybody. The member for Peterborough has an important point. He has an important question he is asking for the people of his riding. I would appreciate some co-operation, particularly from the government members.

**Mr Stewart:** I would ask my own members to be quiet too during this very important question.

The machinists program was also updated with new machines and equipment so that the students can be trained on the most current technology. The electricians program has also benefited from upgraded equipment. These changes bring obvious benefits to Sir Sandford Fleming's apprenticeship training program, training that is important to my riding, as it is to all of Ontario.

Minister, can you tell the House a bit more about the apprenticeship enhancement fund and this year's recipients?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** In response to the member for Peterborough, Sir Sandford Fleming, as all of you know, is one of 25 great colleges in the province of Ontario. They are responding to the needs of the public.

When you hear the member mention carpenters, machinists and electricians, this is our goal: to double the number of young people, or anyone, going into apprenticeship programs in the province of Ontario. So yesterday we did make an announcement. We're investing another \$5 million in apprenticeship training. This is part

of our government's five-year plan to spend \$50 million in our commitment to modernize our training and apprenticeship facilities.

Our goal to double the number of apprentices is contingent upon the employers in our communities. So every member in this House should be very proud that we are able to get the number of employers. We need more of them to work in partnership with our schools and colleges to give our young people an opportunity for apprenticeship training.

**Mr Stewart:** Thank you, Madam Minister.

The effects of our government's investments can already be seen. At Sir Sandford Fleming the employer satisfaction rate has increased from 91% in 2000-01 to 93.1% in 2001-02. This new investment will allow colleges to continue to provide the most up-to-date equipment and training possible.

In today's fast-moving, high-tech world, it is important for our students to have training on the most current equipment so that they can stay competitive. Our government is dedicated to economic growth and this funding will help improve the quality of education and the quality of our workers who graduate from these programs.

It is no secret that training equals economic growth. Besides this injection into the apprenticeship fund, I wonder what other steps our government is taking to ensure students are prepared for the workforce. Please tell the House what our government is doing to ensure that our training system and its apprentices stay competitive.

**Hon Mrs Cunningham:** I would like to again thank the member from Peterborough for taking such an interest, as does my seatmate, the Minister of Municipal Affairs and Housing, in Sir Sandford Fleming College.

Yes, \$50 million over five years is a tremendous number, but it's never enough. We of course invite our colleagues in the opposition to work with us in getting our training agreement with the federal government so that we can work better together in spending the money that we actually spend in Ontario.

I would also like to say that parents, teachers and members of our community should be encouraging our young people to enter into apprenticeship training. In that regard we have OYAP, the Ontario youth apprenticeship program. We celebrated that program once again yesterday, and we now have some new numbers: 6,000 last year; 7,240 young people are in our Ontario youth apprenticeship programs in our schools, working with our colleges.

This is a great success. It's been three years. It went from nothing to over 7,000. We should be congratulating those young people, their teachers and the business community.

### HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** Again to the Premier: there are no less than 10 sections in the legislation you've introduced today which deal with



the disposal of Hydro One: provisions providing for the sale of shares, provisions providing for the disposal of shares through other ways, or disposal of Hydro One altogether. Can you tell me why you would need this many detailed sections dealing with the disposal of Hydro One if your government doesn't intend to sell Hydro One?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The province of Ontario, like any other individual or entity in Ontario, needs to know and have clarified what its ownership rights are and what its ability is to deal with assets, just as any other entity does.

**Mr Hampton:** Premier, when you've got so many sections of the bill dealing with disposal of Hydro One, it behooves you—I think you have a duty to the people of Ontario to stand up and tell them you're going to sell Hydro One, yes or no, otherwise you look as if there is an article here of avoidance or there is an article here of trying to evade the public's understanding of what's really happening. With so many clauses dealing with the disposal of Hydro One, don't you think it is the open, accountable and responsible thing for the Premier of the province to stand up and say yes or no, you're going to sell Hydro One? Yes or no, are you selling Hydro One?

**Hon Mr Eves:** The people of Ontario will know exactly what we're proposing to do with an asset, including Hydro One. When we make that decision we will certainly share it with the people of Ontario. There will be an open discussion about any proposed route of action.

**The Speaker (Hon Gary Carr):** New question.

1500

**Mr Michael Bryant (St Paul's):** A short question for the Premier: what do you plan to do with Hydro One?

**Hon Mr Eves:** We are considering several options. We are listening to the people of Ontario and we will continue to listen to the people of Ontario before we decide what we're going to do.

**Mr Bryant:** Premier, you say consultations are over. You cannot possibly tell me you don't have any plans for Hydro One. Is it income trust or is it not-for-profit or is it strategic sale or is it IPO? We want to know what your plans are. I think the people of Ontario deserve to know.

They also deserve to know why the government is proceeding with this when this very issue is before the Court of Appeal. A couple of weeks ago, on May 17, the Attorney General of Ontario said of another bill, the subject of which is before the Court of Appeal, "I think frankly it would be foolhardy for any government to move forward with an initiative without first hearing what the Court of Appeal has to say."

So I say, why is the government proceeding with this bill against the advice of the Attorney General? Why is the government being so foolhardy in coming forward with a blank-cheque bill?

**Hon Mr Eves:** I would refer this supplementary to the Attorney General and he can answer it himself.

**The Speaker:** Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** Mr Speaker, if you would give me just a second to return to my seat.

The member opposite raises an interesting point, and the point is—

**The Speaker:** I should have allowed you a chance to get back to your seat. You knocked over three ministers getting there. You looked like the Leafs last night.

**Hon Mr Young:** The member raises an interesting point. I would say to you, though, that he is indeed comparing apples to oranges.

*Interjections.*

**Hon Mr Young:** If the issue wasn't so serious, this would be humorous, but it's almost like having canned laughter.

What we are talking about in this case, the Hydro appeal, involves numerous issues and includes issues of standing and so on and so forth that won't be—couldn't be—dealt with in this bill that was tabled today. So he really is comparing apples to oranges.

## FOREST FIREFIGHTING

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to question the Minister of Natural Resources. First of all, I'd like to congratulate the minister on his appointment to the Ministry of Natural Resources. I spent time as parliamentary assistant to the former minister and I'm confident—in fact, I know full well—that Minister Ouellette will do a very good job given the background and skills that he brings to this portfolio.

Minister, recently there has been a significant amount of national media attention to forest fires, particularly in the western provinces of Alberta and Saskatchewan. Fortunately, we've had a chilly spring but Ontario has not been exposed to the extreme weather conditions experienced by other provinces so far this year. Could you please inform me about the current forest fire situation in the province of Ontario?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** I'd like to thank the member for Haldimand-Norfolk-Brant for the question. But before I answer the question, I would like to thank the Premier for the opportunity to work in this portfolio. To the members of this House and to the people of Ontario, I commit to work to the best of my ability, as do all ministers and members of the House, not only to the people of Ontario in this particular portfolio, but to all entities of the province.

Returning to the question, currently there are five fires burning in the province, and to date approximately 500 hectares of land have burned. In contrast, Ontario had experienced far greater damage last year at this time, having more than 3,000 hectares of land burned by this time. When you look at a 10-year average, over 45,000 hectares at this time of year were burning.

The cool and wet spring has been relatively quiet, and Mother Nature has been very helpful. However, we can see a change very quickly with Mother Nature, and I

know our provincial response centre is very aptly able to deal with these situations should they arise.

**Mr Barrett:** Thank you for the update and thank you for that answer. As I mentioned in my first question, parts of northern Saskatchewan, Alberta and Manitoba have been hit very hard by major forest fires. For example, the fire hazard in northern Saskatchewan is the highest it has been in five years. What I'd like to know is, to what extent are we able to assist neighbouring provinces like Saskatchewan in their struggle against forest fires?

**Hon Mr Ouellette:** Ontario is world renowned for firefighting. We've had trained people in from China to Greece, and I know as well that Ontario and the other Canadian provinces and territories are signatories to a national resource-sharing agreement whereby we assist each other in times of extreme fires.

Currently, Saskatchewan and Alberta have called for our assistance with the very serious fire situations that are taking place and that are taking a bit of a profile in the media at this time. In response, yesterday Ontario sent out eight four-person, initial-attack firefighting crews and two liaison officers to Saskatchewan, and today we're sending 100 sprinkler fire kits to assist Alberta, with the full understanding that any time they're required back in Ontario, we'll have them back in a moment's notice.

#### MINISTRY OF HEALTH CONTRACT

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier. We understand that your health minister is losing his high-priced spin doctor at the end of this week. For the past 15 months, Gord Haugh has been at the side of Tony Clement, your Minister of Health, and he has been paid handsomely to be there. In fact, he was paid \$300,000 a year for this contract.

Premier, the official salary range for a press secretary is between \$62,000 and \$80,000. We'd like to know from you, Premier, what you feel about an individual acting as a press secretary making \$300,000, when the range for a press secretary is between \$62,000 and \$80,000. Do you feel this is an appropriate use of taxpayers' money, in particular through the Minister of Health?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I would like to direct this question to the Minister of Health, and he can provide the answer.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'd like to inform the House that the person in question had a one-year contract and the contract is over.

**Mrs Pupatello:** Premier, we can't tell whether you think this is an appropriate use of taxpayers' money. We already heard the ministry defend this contract last year. We're asking you. You're the new guy in town. You're the guy who's going to be so different from before, remember? You're the one we're asking if you think it's an appropriate use of taxpayers' money, in the face of seniors in home care and in long-term-care facilities getting a bath maybe once a week. We want to know if

you believe that a press secretary, on a contract, making \$300,000 is an appropriate use of taxpayers' money. You're the guy who is supposed to have the new face here. I ask you specifically, do you believe—

**The Speaker (Hon Gary Carr):** Minister of Health.

**Hon Mr Clement:** We always have to be mindful of taxpayers' money. That is a constant challenge for all of us that we have to be vigilant about. I, as well as all of my colleagues, feel strongly that we have to be always cognizant of taxpayers' money, and we'll continue to be so in the future as well.

#### OAK RIDGES MORaine

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Municipal Affairs and Housing. Last year we passed the Oak Ridges Moraine Protection Act, and I congratulate you and the Premier of the day for passing that particular bill.

But it's no surprise for a PC government to be that environmentally friendly. We hear so much from the opposition and the third party, but we ask, "What kind of action is there, and what action did we see in the environment from 1985 to 1995?" Almost none. When you look to the States, what do the Democrats do other than talk? That's sort of typical of the opposition here.

Minister, you stated that even though it was not part of the legislation, the government was committed to the establishment of an Oak Ridges Moraine Foundation. Last week you, along with Premier Eves, announced the establishment of this foundation, and again this is typical of an Ernie Eves government concerned about our environment.

Minister, can you tell us the role that this foundation will play and has been playing up until now?

1510

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I appreciate the question of the member for Northumberland, and he's absolutely right: although it wasn't in the legislation, we did promise it and it's a promise kept.

Last Friday, May 24, 2002, Premier Ernie Eves and myself had the honour, on behalf of the taxpayers and the people of Ontario, to announce \$15 million as seed money to set up a foundation for the Oak Ridges moraine trust. The money will be used to organize and participate in the funding of other registered charities, environmental groups and other levels of government and to come up with a plan in public education, in trail securement and in more property purchases, if necessary, around the linkage to the natural core areas. It's something that we feel very proud about and on which we had the support of all parties in this Legislature.

**Mr Galt:** Minister, I appreciate that response. Certainly that is typical of our PC government and a hallmark of our environmental record.

Minister, there has been the establishment of an interim board for this foundation. I was wondering if you could inform us what kind of qualifications and expertise



these individuals have that they were entrusted with this large and generous donation of some \$15 million from the province, and also inform us of the mandate this board has.

**Hon Mr Hodgson:** I know the member for Northumberland cares about the environment. He's been involved with this government's initiatives from the very beginning.

We have a number of people on the interim board of the foundation. It will be non-profit and will work as a charity to oversee initial operations, administration and management of the foundation, and to develop a three-year strategic work plan, program goals and a funding strategy.

Some of the people on the interim board are: Ric Symmes—he's an environmental consultant and he's also the former executive director of the Federation of Ontario Naturalists; James McKellar—he's the associate dean, professor and director of the Schulich School of Business at York University and in 1990 he was appointed as a United Nations' technical advisor; John Riley, the director of conservation, science and stewardship with the Nature Conservancy of Canada; John Burke, the deputy minister of the Ministry of Natural Resources; and Russ Powell, who has been the chief administrative officer of the Central Lake Ontario Conservation Authority since 1995.

When the foundation and the trust are established, we will be appointing Steve Gilchrist, a member of our caucus who has been vitally interested in this issue since before he got into provincial politics.

### HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** I want to ask the Premier again: you have a detailed section in your bill which sets out what happens with the proceeds from the sale of Hydro One. Why would you need a section dealing with the proceeds from the sale of Hydro One if, as you say, you don't intend, or don't necessarily intend, to sell Hydro One?

Again, Premier, I think you owe it to the people of Ontario to be clear with them, to be open with them about your intentions. Why do you need a section dealing with the proceeds from the sale of Hydro One if, as you say, you haven't necessarily decided to sell off Hydro One?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'll refer this to the Minister of Energy. I'm sure he's feeling left out this afternoon.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** We had to detail that because in the auditor's report of 2000, if there were any proceeds from Hydro One, with their disposition—he directed us exactly how we had to handle that disposition money. The act clearly stipulates exactly how the auditor informed us how to handle this money, and that's what we did. We put it in the bill to ensure that that process is followed.

**Mr Hampton:** Again I'll ask the question that none of you over there seems to want to answer. Why do you need this section in the bill if, as you say, you have not made a decision to sell Hydro One? The real question is, we think it's pretty clear you're going to sell Hydro One. Why don't you have the decency here today to come right out and say it to the people of Ontario since you have sections dealing with where the proceeds go, detailing how you can sell it and dealing with the process you'll go through to sell it? Don't you have the decency to say to the people of Ontario, "We intend to sell it. That's why all these sections are in the bill"? Why don't you have that decency, Minister?

**Hon Mr Stockwell:** Before this bill came into the House, you were making accusations against this government that if a disposition of Hydro One took place, the proceeds wouldn't be used against the debt of Hydro One. We wanted to make it very clear to alleviate your concerns, so we put into the bill exactly how the proceeds would be handled according to the auditor. We addressed that concern in the bill of the question that you put in this House four, five, six, seven times. Now you get the bill and you complain that we've put into the bill exactly how we would handle the proceeds according to the auditor's report and deal with the debt; you're complaining that we put this in the bill. So first of all, you complained that the proceeds may not go to the debt. We put in the bill that if there are proceeds, they will go to the debt. Now you're complaining that you've got in the bill an act that says that if there are proceeds, we'll put them before the debt.

Get your questions straight. What do you want us to tell you? That is as clear as we could be. The bill was drafted. If there are proceeds through some disposition of Hydro One, we will handle it the way the auditor told us. The proceeds would be applied to the debt. Clear. Full stop. End of story. Read Hansard. Don't ask that question again, please.

### ENVIRONMENTAL PROTECTION

**Mr Dalton McGuinty (Leader of the Opposition):** To the Premier: just a short while ago NAFTA's North American Commission for Environmental Cooperation released a very important annual report. They tell us that North America has seen a marked improvement in the amount of toxic pollution released into our air, water and soil. They say more specifically that pollution in the US has decreased by 3% since 1995. Even in George Bush's Texas, they saw a 50% decrease since 1995.

But, Premier, here's the bad news. Since 1995 in Ontario, the amount of pollution released into Ontario's air, water and soil has increased by a whopping 19%. That is this government's environmental record: an increase of a whopping 19%. Will you now take responsibility, Premier, for this shameful environmental record?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'm sure the Minister of the Environment can answer the question.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** With respect to the environmental report the member has talked about, those numbers and data came out in 1999. Since 1999, this government has taken dramatic efforts to clean up the soil and air in this province. We've toughened—

**Mr James J. Bradley (St Catharines):** Lots of noise.

**Hon Mr Stockwell:** Speaking of lots of noise—we've toughened air standards. We've placed hard emission caps on the electricity sector. We've introduced the Drive Clean program that is being expanded across eastern Ontario. We've proposed the phaseout of Ontario's hospital incinerators. We've strengthened hazardous waste regulations. We've required electronic tracking and monitoring of hazardous waste.

The report presents a distorted picture. It does not take into account the emissions that cause smog and acid rain.

Ontario agrees with the public's right to know. We introduced our on-air Web site, which provides timely access to emission information. Since 1999, we have taken very clear action to protect Ontarians' soil and air. We should be proud of this action, and I'll make a note that most of these things are contained in bills your party voted against.

**Mr McGuinty:** Those have all been wonderful announcements, but none of those have been implemented, Minister.

Here's the real record when it comes to this government's environmental record. You've effectively abandoned public transit in this province. You've opened the door to sprawl by gutting the Planning Act. You've cut off funding for the blue box. You still have North America's dirtiest gasoline. You have one of the lowest rates of diversion for garbage in all of North America. You have refused to police industry; our prosecutions are way down. You refuse to sign on to the Kyoto agreement. You've extended the welcome mat for US—

**Hon Mr Stockwell:** Are you in favour of the Kyoto agreement?

**Mr McGuinty:** Yes, I am in favour of the Kyoto agreement. I'm not afraid to say that. I'm not afraid to stand up for our environment.

I ask you again, since the Premier referred this to you, Minister, how does it feel to be the leading jurisdiction in North America when it comes to pollution?

**Hon Mr Stockwell:** I'm glad to hear the provincial Liberals are in favour of the Kyoto agreement. Maybe he should talk to his federal cousins and get them on side.

First and foremost, let's understand the report. We have a very diverse—

**Mrs Sandra Pupatello (Windsor West):** Stay on-message there.

**Hon Mr Stockwell:** OK. Thank you for the advice.

Let's understand the report. We have a vibrant, going concern from an economic prosperity point of view. We have investments. We have a lot of prosperity. We create jobs in this province. Yes, there are environmental concerns when you do create jobs. We've been dealing

with that, because you get prosperity, investment and taxes.

**1520**

Understand this report. The top performers were Guam, Alaska, PEI, Virgin Islands and Hawaii. Why? Because they don't have the economic diversity that Ontario has. They don't have the investment. We have introduced legislative—

*Interjections.*

**The Speaker (Hon Gary Carr):** You're not going to compete with the yelling. You've got a loud voice but not when they're yelling like mad at you.

Sorry, Minister.

**Hon Mr Stockwell:** Understand that those are at the top, because they don't have the diverse kind of economic prosperity that Ontario has.

**Interjection:** We don't have any.

**Hon Mr Stockwell:** Yes, we do. With that prosperity, we brought environmentally sound legislative initiatives. I will add, those initiatives—tough air standards, hard emission caps on the electricity sector, phasing out Ontario hospital incinerators, strengthening hazardous waste, electronic tracking and Drive Clean programs. You have the nerve to complain and bellyache about virtually every one of those programs. You bellyache about the environment, then you come in here and you vote against them. That starts with an H, and I can't use that word.

## FRANCHISE BUSINESSES

**Mr John O'Toole (Durham):** My question is to the Minister of Consumer and Business Services. As you know, small business drives the economy of Ontario. Since 1995, our government, of course, has made it a priority to create the right climate for small business to grow and prosper.

One of the most common forms of small business today is the franchise operation. Franchises, as you know, are run in many cases by family-owned and -operated businesses. Really, these families have invested their life savings into creating jobs in Ontario.

Minister, could you update me, the members and my constituents as to what your ministry is doing to protect the franchise business in Ontario?

**Hon Tim Hudak (Minister of Consumer and Business Services):** I want to commend the member for Durham. He's a strong champion of small business and franchisees in his riding and across the province. In fact, members remember that as chair of the small business advisory committee, he brought forward some great suggestions this government has acted upon.

When the Arthur Wishart Act was brought in, we took some important steps forward. For example, the dealings between franchisees and franchisors are a more open and transparent process. We asked that financial information, for example, be provided for prospective franchisees. It's quite true there were some examples in the past where franchisors made exaggerated claims about how much



money a franchisee could make, and no cooling-off period was provided. It also imposes a precept for fair dealing with the franchisor in the ongoing relationship between the two. These are just two examples of how the courts can now get involved in the process to make sure the dealings are conducted in a fair manner.

**Mr O'Toole:** Thank you for that response, Minister. As you know, the Arthur Wishart Act passed in 2000 with, I might say, the unanimous consent of all three parties in this House. It provides protections for franchisees, including disclosure, using common language, and also the right to form associations.

I recently met with groups of franchise owners who have alleged that they faced intimidation tactics from their franchisors in the attempt to form associations.

Minister, in simple terms, what advice do you have for small franchisees who find themselves in situations of intimidation? What actions can they take to defend their investment?

**Hon Mr Hudak:** If the accusations are true, then I would advise them to take legal advice to see what kinds of damages could be received through the court or to see how they could make sure that all the aspects of the Arthur Wishart Act are enforced properly.

Quite frankly, before we brought forward the Arthur Wishart Act, there was no right for franchisees to create associations. Now it is clearly outlined in the act that they do have that right to associate and to form organizations in dealing with the franchisor. So if a franchisor tries to stop a franchisee from attempting to create an association, then in fact they are in transgression of the Arthur Wishart Act and should look for legal advice.

Again I want to commend the member for his hard work on behalf of franchisees and small business in the riding of Durham and the province of Ontario.

## PETITIONS

### POST-SECONDARY EDUCATION FUNDING

**Mr Rick Bartolucci (Sudbury):** This petition concerns the double cohort and quality in education. It's from the College Student Alliance Partners in Learning and it's to the Legislative Assembly of Ontario.

"Whereas by eliminating the fifth year of high school the government of Ontario has created a double cohort of students; and

"Whereas the government of Ontario has promised that there will be a space at a university or college for every willing and qualified student; and

"Whereas Ontario's universities and colleges have not received sufficient funding from the government of Ontario to accommodate these double cohort students; and

"Whereas the quality of education at Ontario's universities and colleges has been declining in recent years; and

"Whereas the double cohort students will add an additional strain on an already fragile university and college system;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows: to provide full funding for every new student entering Ontario's universities and colleges; provide additional funding to increase quality at Ontario's universities and colleges; provide targeted funding to colleges for skills and innovation; and increase the per student funding to the national average over the next five years."

Of course I've signed this petition in support of it.

### YOUNG OFFENDER FACILITY

**Mr Peter Kormos (Niagara Centre):** I have a petition that reads:

"Whereas the government of Ontario has pushed Kennedy House Youth Services (Uxbridge), an 80-bed young offender facility, out of the provincial public service and into the hands of a private sector employer;

"Whereas the new employer has shown complete contempt for the 130 unionized corrections services staff and has kept them locked out for almost a year"—since June 2001—"while demanding outrageous concessions;

"Whereas, as a result of the lockout, provincial revenues are being wasted as the provincial government forces the taxpayers of Ontario to pay the Kennedy House operator full funding for the past year, as if this virtually empty facility were operating at capacity;

"Whereas the safety of the surrounding region continues to be compromised by the provincial government and by Kennedy House Youth Services as dangerous young offenders in need of supervision and secure custody are instead given passes or open custody;

"Whereas the few young offender inmates who remained in the facility since June 2001 were provided with little or no programming, thus raising serious concerns about their rehabilitation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the Minister of Community, Family and Children's Services act immediately to resolve this crisis by directing Kennedy House Youth Services to negotiate in good faith with its employees."

I concur with that petition and I have affixed my signature.

### HORSE RIDING SAFETY

**Mr Ted Arnott (Waterloo-Wellington):** My petition is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas an increasing number of Ontarians are turning to horseback riding as a recreational activity; and

"Whereas many of these inexperienced riders are children; and

"Whereas an unacceptable number of preventable injuries and fatalities have occurred while horseback riding;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend Bill 12, the Horse Riding Safety Act, 2001, by amending:

"(1) the definition of 'horse' to include those equines under 14.2 hands; and

"(2) the definition of 'horse riding establishment' to include all commercial stables."

#### COMMUNITY CARE ACCESS CENTRES

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government promised to institute patient-based budgeting for health care services in the 1995 document known as the Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by the provincial government; and

"Whereas due to this funding shortfall, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are mostly in home-making services, forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need."

I affix my signature. I am in complete agreement with this petition.

#### HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector

will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

This petition is signed by a number of residents of Tilbury, Chatham and Blenheim and I too have signed it.

1530

#### DOCTOR SHORTAGE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas the residents of Centre Hastings are facing an immediate and critical situation in accessing physician services; and

"Whereas a retiring family physician has been unsuccessful in procuring a replacement physician, potentially leaving 5,000 patients without a doctor; and

"Whereas accessibility to already overcrowded hospital emergency departments and walk-in clinics is limited because of distance and availability to transportation; and

"Whereas Centre Hastings has been designated as an underserved area in need of five physicians;

"We, the undersigned, petition the Legislative Assembly of Ontario to act immediately to establish a community health centre in Centre Hastings."

I will affix my signature to this petition.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a petition that relates to private member's Bill 134, and it's entitled "Fair Rent Increases Now!"

"To the Legislative Assembly of Ontario:

"Whereas the number of tenants receiving above-guideline increases is growing exponentially, and;

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for the building" they live in;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid."



I've affixed my signature to this petition. I agree wholeheartedly with it.

### HYDRO ONE

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition here that was sent to my good colleague David Caplan. He's asked me for so many, but here it goes. It's to the Ontario Legislature.

"Whereas the Conservative government plans to sell off" Ontario "Hydro"—you heard it today—"and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I'm going to affix my signature. I'm in full agreement with this.

### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998; and medical school tuition has and continues to increase in excess of 300% such that at some universities tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario

student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education."

I have signed this petition.

### AMBULANCE SERVICES

**Mr James J. Bradley (St Catharines):** To the Legislative Assembly of Ontario:

"Whereas the Ontario Conservative government hastily amalgamated Niagara's ambulance dispatch service into the Hamilton Central Ambulance Communication Centre;

"Whereas an independent review of Hamilton Central Ambulance Communication Centre found several major shortcomings, including inexperienced dispatchers, high call volume and out-of-date equipment, hindering the dispatch of ambulances in Niagara and in other parts of the province;

"Whereas poor training of Central Ambulance Communication Centre dispatchers by the Ministry of Health and Long-Term Care has led to improper emergency coding, resource misallocation and waste and increased wait times for those requiring ambulance services;

"Whereas the Central Ambulance Communication Centre dispatchers are handling 1,300 more calls a year than recommended by the Ministry of Health and Long-Term Care;

"Whereas these shortcomings in ambulance service restructuring are putting lives at risk in Niagara, Hamilton and throughout the province;

"Whereas the Ministry of Health and Long-Term Care has been in possession of the independent review since October 31, 2001, which provides recommendations to greatly improve ambulance dispatch services in Niagara and Hamilton;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately act upon recommendations presented in the independent review of the Central Ambulance Communication Centre and eliminate the grievous imperfections which are placing our citizens at risk."

I affix my signature. I'm in complete agreement.

### LONG-TERM-CARE FACILITIES

**Mr Gilles Bisson (Timmins-James Bay):** I have a number of petitions here from people from long-term-care facilities, and specifically this one's from the Extendicare unit in Schumacher. It reads:

"If you already have a friend or family member in any of the 525 long-term-care facilities across Ontario, you will understand why I'm asking for your help. But even if you don't, the following information will help you understand the pressing needs and growing sense of frustration.

"Whereas over 60,000 Ontarians living in long-term-care facilities are older, frailer and sicker and require more care than ever;

"Whereas 95% require assistance to get dressed, 94% some assistance to eat;

"Whereas 63% of them suffer from dementia, with 39% of them being aggressive;

"Whereas 56% have circulatory diseases, with 49% having musculoskeletal disabilities;

"Whereas government funding has not kept pace with the increasing residents' needs;

"Whereas current funding levels allow only for four minutes to assist with getting up, being washed, being dressed and dining, 10 minutes for assisting with eating, 15 minutes to do programming every day and one bath a week;

"We urge this government in order to provide additional funding, operating funds that will increase staffing to raise the unacceptable level of service that is present within facilities across Ontario."

I support that petition.

#### AUDIOLOGY SERVICES

**Mr David Caplan (Don Valley East):** I have a petition. It is entitled Listen: Our Hearing is Important!

"To the Legislative Assembly of Ontario:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas new Conservative government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Conservative government policy is virtually impossible to implement in underserved areas across the province of Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that Mike Harris and the Conservative government of Ernie Eves move immediately to permanently fund audiologists directly for the provision of audiology services."

It's an excellent petition, and I have affixed my signature to it because I agree with it.

1540

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 101, An Act to

protect students from sexual abuse and to otherwise provide for the protection of students, when Bill 101 is next called as a government order, 60 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Michael A. Brown):** Mrs Witmer has moved government notice of motion 5. Debate? Debate? If not—

**Mr Gilles Bisson (Timmins-James Bay):** Yes.

**The Acting Speaker:** The member for Timmins-James Bay.

**Hon Mrs Witmer:** Mr Speaker—

**The Acting Speaker:** I called the member for Timmins-James Bay. I'd asked for debate twice. No one stood. The member for Timmins-James Bay did. The member for Timmins-James Bay.

**Mr Bisson:** I know that our education critic and the member for Nickel Belt are going to want to speak on this in some detail. I want to refer all of the comments to my good colleague here. I'd like to give her an opportunity to continue debate, so I'm asking—

*Interjection.*

**Mr Bisson:** Yes, it's going to carry on in rotation, and I look forward to the comments that will be made.

**The Acting Speaker:** Further debate?

**Hon Mrs Witmer:** I'd like to address the Student Protection Act, 2002.

**The Acting Speaker:** Sorry; we need unanimous consent. You had the floor when you moved the bill. We need unanimous consent to have the minister speak now. Agreed? Agreed.

**Hon Mrs Witmer:** I'd like to address the Student Protection Act, 2002.

This bill, if passed, will significantly strengthen the legislative safeguards that protect the students in our schools. The act would make it easier to identify child abusers and would bring them to justice. Of even more importance, this act would greatly assist in preventing this sort of abuse, abuse that we know can traumatize a child for life.

This bill would affect Ontario's teachers and would support them in the very important work they do. Our teachers enjoy the trust and respect of students and parents in the province. Unfortunately, however, there are a small number of teachers who misuse their positions. Although their number is small, their effect can be great. It is in the interests of everyone—children, parents and teachers—that such individuals who have abused or may be likely to abuse children are identified and that their contact with our students cease.



Mr Justice Sidney L. Robins, in his report *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, made some important recommendations. This bill is a part of our response to that report and it is an important action that we must now take on this most sensitive issue.

Bill 101 proposes amendments to the Education Act, the Ontario College of Teachers Act and the Teaching Profession Act.

Part I of the bill proposes an amendment to the Education Act that would give school boards new responsibilities. When a board becomes aware that a teacher has been charged with, or convicted of, an offence involving sexual conduct and minors or any other offence that might place students at risk, the board would be required to ensure that none of the teacher's duties involve contact with students. The board would also be immediately required to remove the teacher from any duty which might involve contact with students, including classroom duties.

Bill 101 would fulfill the mandate for broader definitions of "sexual abuse." It would define sexual abuse by a teacher as including touching of a sexual nature and behaviour or remarks of a sexual nature by a teacher directed toward a student.

The bill also proposes changes in the reporting relationships between the employers of teachers and the Ontario College of Teachers. Employers of certified teachers would be required to report to the college whenever a teacher's employment has been terminated or his or her duties restricted for reasons of professional misconduct. Furthermore, an employer would have to report to the Ontario College of Teachers if a certified teacher resigns while an investigation of this sort of activity is underway. This provision is essential to make it even more difficult for potential abusers to avoid detection by changing employers.

With these provisions, Bill 101 demonstrates our commitment to the safety of the children in the province of Ontario.

The legislation was developed under the guidance of my predecessor as Minister of Education, the Honourable Janet Ecker. Minister Ecker worked with many stakeholders to develop and improve the legislation to protect our students, and I would like to express my sincere appreciation to those stakeholders.

At Minister Ecker's request, the Ontario College of Teachers consulted widely and presented to the ministry well-considered proposals for legislative changes. The Ontario College of Teachers has been instrumental in this process and they, in particular, deserve our sincere appreciation for their partnership in creating this legislation.

I would like to list and thank some of the groups that participated in these consultations and whose views and recommendations have contributed to the legislation presently under consideration.

First, let me thank all five of our teacher federations, our three principal councils, our school board representatives, the federation representing independent schools,

the Ontario Parent Council, the Ontario Federation of Home and School Associations, the Ontario Association for Parents in Catholic Education, the Institute for Catholic Education, the children's aid society, the Catholic Children's Aid Society and the Ontario Association of Chiefs of Police.

Yesterday, May 28, I learned that the Ontario Teachers' Federation had concluded their examination of a proposed change to the regulations accompanying this bill and they are, I am pleased to say, in agreement with the government's proposals for changes. I know we all appreciate the federation's continuing support and interest in making this legislation the best it can possibly be on behalf of our students and teachers.

I realize it is unpleasant for us to contemplate the sort of child abuse that this bill seeks to prevent. However, it is important that we address this issue.

We have today a bill that is the result of tremendous consultation and input from many groups, individuals and professional organizations, who all share a very strong interest in our education system and the welfare of our children.

This legislation, if passed, will go a long way toward addressing and preventing a problem which, while rare in its occurrence, does have, as I mentioned at the outset, grave results for its young victims. Therefore, I would invite all members of this House to support this legislation for very speedy passage.

1550

**The Acting Speaker:** Further debate?

**Mr Bruce Crozier (Essex):** I made it. I was in closer proximity to make it this time.

There are two things I want to discuss today. I want to discuss some issues about the particular bill, but first I want to make a few comments about time allocation and time allocation motions.

Just so that everyone understands, what we're discussing today is the cutting off of debate. In other words, if there are members of this Legislature on either side—the government side, for example—they won't have an opportunity beyond today to carry on what limited discussion we'll have at this time.

Quite frankly, I've spoken to this issue before, and I will continue to do so. The cutting off of debate—closure, time allocation, whatever you want to call it—really limits the ability of this Legislature to have any effect whatsoever. We had a hydro bill introduced today, for example. I am willing to bet—and yet, I've said before I'm not a gambling person—that we will see time allocation on that bill. It's used much too often, in my view. The constituents of every riding that is represented in this Legislature, I think, expect their member to be able to stand and voice their opinion and the opinion, therefore, of their constituents. So once again, we are going to stand today, take a legislative day's debate, and at the end of the day we're going to have to accede to the government's wishes that they simply choke off democratic debate.

I really think that's a hallmark of the previous government, the tough Mike Harris government, and it's being

carried on by the mild-mannered, new-generation Eves government. It's absolutely no different than it was in the last session. In the first bill brought before us since this session opened—excuse me, the second bill; they have been debating others. In the second bill brought before us in this session, time allocation is being used. That, to me, is not the hallmark of a government that wants to listen. It's not the hallmark of a government that wants to consult. It's the hallmark of a government that simply wants to ram legislation through.

Let's take a look at this legislation. Quite frankly, it's legislation that, if I recall previous discussion on it, we all have a basic appreciation for. We have a basic understanding that there is a need for it. So in the legislative course of events, this could have been something that was dealt with, in my view, along with some other legislation, pending certain amendments and so forth. In other words, this legislation in itself is very, very important, but I think it could have been dealt with in a different way; and we might have been here this afternoon discussing the Nutrient Management Act and some other important pieces of legislation that this government has proposed.

Let me just take a couple of minutes to speak to the bill itself. Notwithstanding the fact that we support it, we don't feel it goes far enough. As has been pointed out by the minister, it requires all employers to report to the Ontario College of Teachers a certified teacher charged with a sexual offence against a student. What about teachers who aren't certified who work in private schools, which this government wants to see flourish in the province of Ontario? If you're not a certified teacher—and private schools don't have to have certified teachers—then if there's a case of sexual abuse, it doesn't need to be reported. Quite frankly, if we're concerned about sexual abuse of students in this province—and every one of us is; I have absolutely no doubt about that—then it should cover everybody and it should cover every circumstance. It should cover every employee who is employed by a private school, a public school, a religious school. Any school whatsoever that deals with children should be dealt with in the same manner as this bill deals with them.

We know, for example, that the Elementary Teachers' Federation of Ontario and the Ontario Secondary School Teachers' Federation are officially supporting the bill in principle. It's been welcomed also by the Ontario public school boards as a necessary move, and we agree with that. But we all want to prevent sexual misconduct in our schools no matter where they be in the province, no matter what kind of school it be.

Even though we would support this bill in principle because it's part of that often-used "first step," we think there's much more that this government could do to protect children in the province of Ontario. Dalton McGuinty, the Liberal caucus and the Liberal Party have made recommendations that will do that. We only wish the government would listen.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate this afternoon, a debate

which actually involves a time allocation motion on Bill 101, the Student Protection Act.

It's interesting. I normally do House duties on Wednesday afternoon, and so does my colleague Mr Martin from Sault Ste Marie. It became kind of a running joke between us in the last session that if it was Wednesday, it must be time allocation day, because if you look back to the last session, almost every single Wednesday in that last session was in fact used by the government to move a time allocation motion.

Here we go again: Wednesday afternoon and the government is bringing forward a time allocation—not the first one in this session; at least the second one—to shut off debate on a bill which is very important to the people of Ontario, a bill that we continue to believe the government should have amended in the interests of students. I regret that when the minister spoke today, she did not allude to the fact that the government would be doing that, even in the time that remained. So there will be, I guess, one hour of debate on third reading when this bill is called back, and that will be it and that will be all.

It's probably worth pointing out that some things don't ever change. It appears that we are going to be governed yet again in this session by a series of time allocation motions so that the government can cut off legitimate debate and can just move on with the business of the day whether or not people are in support.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Why don't you agree with our legislation?

**Ms Martel:** You know, it's interesting. I hear the Minister of Colleges and Universities in here, and I hope she will speak today; I really do. I'll tell you why I hope she speaks today. It's because the Minister of Education earlier said that this bill "demonstrates our commitment to the safety of children in the province of Ontario." That was a direct quote by the Minister of Education.

I say to the government and I say to the minister who just made comments—and I hope she gets up and gives me an answer—why is it then that your government has consistently refused to afford protections to children who are in private schools as well? Why is it, Minister, that the provisions of this bill regarding sexual predators only apply to certified teachers, teachers overwhelmingly in the public school system? Many teachers in private schools, in independent schools, are not certified, meaning that they have not graduated with a bachelor of education and they are not certified by the College of Teachers to teach in independent and private schools. Those same teachers are exempt from Bill 101, the purpose of which this government alleges is to protect students. I don't understand that discrepancy.

**1600**

The reason I spend some time raising it today is because I don't think it's right that those people who teach in private schools but who are not certified should not be subject to the same provisions that will apply to certified teachers everywhere else in Ontario. If it is the



case that the purpose of this bill is to protect students against predators in the classroom, then make sure that all students in the province of Ontario are afforded the same protections. There is no rhyme or reason or reasonable explanation to have children in independent schools afforded less or minimal or no protection from teachers in those systems who could prey on them in any way.

I agree with what the government is trying to do, which, it says, is to make sure children are safe, because it is very clear that school environments offer an opportunity for those who would prey on children to do just that. When you think of the many, many hours over many years that our kids are in the school system, in an environment with teachers, and that our kids could, God help us, be subject to sexual assaults, sexual innuendo or being preyed upon by a teacher, then it just seems imperative—imperative—to me that regardless of where those kids go to school, be it a private school or a school that is publicly funded by the taxpayers of Ontario, we should be interested in protecting all of them.

I spoke to this bill before, and I welcome the opportunity again to raise this singularly important issue, because I don't understand the government rationale for protecting some students and leaving other students wide open to being preyed upon by—

**Mr Rosario Marchese (Trinity-Spadina):** Janet Ecker might be able to help us. She's right there.

**Ms Martel:** I see that the former Minister of Education is here today. I would hope she would stand in her place this afternoon and explain to me and to other members of the opposition who are going to raise the same points, and to parents out there, how it is that the government seems only interested in protecting some students and not others—

**Mr Marchese:** And some teachers and not others.

**Ms Martel:** —and only seems willing to deal with some teachers who may be sexual predators and not others. I do not understand the rationale, and I cannot see that there is any legitimate rationale for doing the same.

There were public hearings on this bill. There was an opportunity to move amendments. There was an opportunity during the debate for the government to respond to that very issue. As I read through the comments on the debate that took place on this bill in October, November and December on the three days it was debated, there was ample opportunity for the government to come forward and respond to this very issue. Goodness knows, the majority, if not all the members of the opposition who spoke to this bill raised this very point: why are the protections not afforded to kids who are in private schools? The government has consistently refused, be it the backbench members of the Conservative government who spoke to this or the former Minister of Education, who is here today, or the new Minister of Education, who spoke to it again this afternoon. There has been ample opportunity for every one of the government speakers on this bill to respond, and none have. None have.

I say to the members who are here again today—and I say this very seriously, because I don't think this is a

partisan point, and I don't think this is a philosophical point that I am raising—explain to me why this bill only applies to certified teachers, who overwhelmingly teach in the publicly funded school system, and why teachers who are not certified and yet teach in the 732 private schools in this province are exempt from this bill. Do we really think that there is no opportunity whatsoever for some of those teachers to be involved in preying on kids? None of us want to think that happens in the school system, private or public, but it does. During the course of the debate on this bill earlier in the last session there were examples raised both in the public system and in the private system where people have been charged and convicted for sexually molesting children. So we know, regrettably, that it does happen in both school systems. If the intent of the government is truly to protect all students in the province of Ontario, why do these provisions not do just that?

As I say, I hope that someone from the government side today—backbencher, cabinet minister, I don't care which it is—when they deal with this time allocation motion and have an opportunity to speak will tell me and tell my colleague Rosario Marchese and tell other opposition members and tell, most importantly, parents out there why it is that if their child is in a private school, this government will not offer that child the same protections against sexual predators as they are bound and determined to implement, rightly so, in the public school system. These provisions should be applied to both and there is no legitimate reason why the government still continues to refuse to do that. What was it about the lobby from private schools that finally convinced the government not to do that? It is wrong, and the government should have made the change to protect all students.

The second point I want to raise has to do with the work that was done by two of my colleagues to actually get the recommendations from Judge Robins that lead us to the bill we are debating today. I think it's worth pointing out that Tony Martin, the member for Sault Ste Marie, and Bud Wildman, who is no longer a member in this House but used to be the MPP for Algoma, were instrumental in finally getting a public airing of a very controversial, very ugly issue that otherwise might not have been dealt with and might not have led to the bill that's here today, a bill that we will support but should be amended to include private schools.

It is a fact that in 1996 in Sault Ste Marie a teacher by the name of Ken DeLuca was convicted. He assaulted 13 students over 21 years in that community. Both of my colleagues, after that conviction, spent a great deal of time introducing petitions in this Legislature calling on the government to hold an inquest into the Ken DeLuca affair because people were so appalled that over a 21-year period a teacher could assault so many students and nothing would have been done about it over that long, long period of time.

I commend the work of those two members. From 1996 until 1999, when the government finally agreed to

establish a commission to give an airing to this very difficult subject and to have recommendations on how to change things so that something like this could never happen again, those two members represented the interests of their community and continued to bring forward to the government the need to deal with this in a very public way so that it could never happen to Ontario students again.

So even though they began encouraging this government in 1996 to hold an inquiry and even though it took until 1999 to have the commission established so that Justice Sydney Robins would make recommendations back to the government, the fact is that finally something did happen after three years of those two members encouraging the government to do the right thing. So I commend the government for having done that—later in the day than we all would have liked, but the government did it.

1610

Frankly, I would like to commend His Honour for dealing with a very difficult, ugly, controversial issue—that is, sexual abuse of our students—and coming forward with recommendations for positive change, which His Honour did in the report *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*.

We welcome the fact that some of those recommendations appear in the bill that we have been dealing with for some time now and the bill that we are dealing with today. We welcome that fact. But I think it's worth pointing out how we got to this position. It was because two of our colleagues were very committed to having a public airing of an issue that otherwise might have been swept under the carpet one more time, an issue whereby other students might have fallen prey in the same way that those 13 students over that 21-year period fell prey to sexual assault.

I want to conclude, because I know my colleague Mr Marchese, who is our education critic, has a lot to say on this particular matter, by saying that if the government was truly serious in its intention to demonstrate its commitment to the safety of children in the province of Ontario, as the new Minister of Education said today, then the government would have taken the next appropriate step and ensured that these same protections were afforded to children in private schools as well. While I disagreed with public funding of private schools—I fundamentally disagree with that—I do not disagree with the need to protect those students in every way, shape and form. The government should have amended Bill 101 to do just that.

**Hon Janet Ecker (Minister of Finance):** I appreciate the indulgence of my caucus to allow me to speak for a few brief minutes on what I believe is very, very important legislation, and also, frankly, to speak in support of the time allocation motion that is before us.

I think it's very important legislation. I had the privilege of working with our education partners to bring this forward last year. Despite the good work that they

had done, despite the work that our education partners had done with the Liberal Party and the NDP, at the end of the day last year while this government and the Liberal Party had been prepared to move forward with this legislation, unfortunately the NDP, for reasons that parents found very hard to understand, did not wish to support bringing forward this legislation. We had attempted to have debate and discussion, and unfortunately the bill did not go forward. I think it is important for parents and students and teachers who have worked so hard to have better and tougher protections for students against sexual abuse—it was very hard for them to understand why the third party had chosen to do that last year.

I think it is quite appropriate that with legislation that is this important, with legislation that responds to recommendations of Justice Sydney Robins and his report *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*—this legislation is implementing many of those recommendations. He was responding to a situation where students had been abused for literally years. The system had not been able to protect students in this case. This legislation does respond to that.

I appreciate that the honourable member from Nickel Belt has talked about her concerns about independent schools, and I think it's important to recognize that this government did bring in mandatory requirements for criminal reference checks, for example, not only in the public system but also in independent schools. I think that was an important improvement.

Second, certified teachers—and there are certified teachers in independent schools, as there are in the public system—have to meet the rules and the regulations of the profession, whether they're in a public school, an independent school, wherever they are. I think that is also very, very important.

The honourable member—I know she certainly wouldn't mean to do this, but Waldorf teachers and Montessori teachers and teachers who have very specialized, different, alternative training are also people who have a lot to offer in the education of children as well. So it's not quite as stark as she would have you believe.

But to the point of this particular legislation: there has been an incredible amount of hard work, co-operation amongst the education partners. I believe we have the best bill possible for the consideration of the members. It's been reviewed and approved by the most knowledgeable stakeholders, if you will, those who work closely with Ontario children on a day-to-day basis. I've said many times and will continue to say that one of the great joys I had in the brief time I was the Minister of Education was to meet so many of those incredibly committed folks who did so much for our kids on a daily basis. Somehow, with all due respect to the new stakeholders I have in the Ministry of Finance, they don't, as part of their daily responsibilities, have that charge. That is one thing I think I will miss from my days at Education.

I do believe Minister Witmer, the new Minister of Education, is to be congratulated for bringing this for-



ward. I believe Minister Stockwell, the House leader, is to be supported for bringing it forward under time allocation to ensure that the bill does not get hijacked this time by whatever partisan politics might well be sort of seizing the moment in this chamber.

The government has worked with many stakeholders to develop the legislation that will, if approved by this Legislature, help keep our school children safe and better protected. It is part of the comprehensive plan we have brought forward over the last several years to improve school safety, not just through the Safe Schools Act, not just through the charter of rights and responsibilities, and not just through the code of conduct, which brought in mandatory penalties for things like harassing or assaulting teachers and other students. All of those, including this proposed legislation, are part of a comprehensive plan to help make sure our schools are safer. I believe that not only students but teachers and parents need to have the assurance that our schools are indeed free from abuse—sexual or otherwise—or any other professional misconduct that could potentially put our kids at risk.

We know—and I certainly heard and I know my colleague hears from both students and teachers—that a good teacher can't teach the way they want to and students are not going to learn the way they want to learn, and the way all of us want them to learn, if they're in fear for their safety. If there's one thing there has always been great consensus on, I think that is it, and I think this legislation does help to address that.

This new legislation, if passed, would help provide that safety through a couple of improvements. For example, it sets out a clear definition of sexual abuse. What that means is that in the training that teachers receive, it can be very clear what their obligations and responsibilities are. Again, many teachers instinctively know this, but what is appropriate behaviour and what is not appropriate behaviour is very clear. It gives the Ontario College of Teachers, the regulatory body, the opportunity to enforce legislation. If things go beyond that into the courts, we're setting a clear parameter about what is acceptable, appropriate behaviour and what is not. I think the definition in the legislation is very important in terms of doing that.

The other thing the bill does is put an onus on school boards—it's an important new duty—to have them remove individuals. If there is a concern about one of the teachers being a potential threat to a student, the school board has the ability it needs to remove the threat and deal fairly and effectively with the individual and with the situation. I think the authorities given to school boards in this legislation are very important for them to act as they should if there is a risk of harm for any students.

The bill also addresses very important issues about reporting requirements. The intent is to make sure that if there is a teacher who's been disciplined or charged with a sexual offence against a student, or if there are allegations or investigations going on, there is not the ability for a perpetrator, if you will, to move from school

to school, from board to board. We certainly saw that in Justice Robins's recommendations. That was actually very much the meat of what he was trying to address in his report, because it had been a concern that there wasn't a way to effectively detect and deal with individuals who had committed inappropriate acts or were in different stages of investigations, or whatever, from simply being able to flee to other schools and other jurisdictions, and to make sure the reporting is there so that boards and the College of Teachers have the authority they need.

1620

I think the reporting requirements, and the other initiatives in this bill as well, are sending a very clear message that sexual predators have no place in our schools. I also think it's worth stressing—and I know many of us know this to be true because of the experience we've had either with our own children or as elected members meeting so many committed teachers across this province, but I think it does bear repeating, even though many here in this chamber certainly know it—that we know and recognize that the great majority of teachers in Ontario, the vast, vast majority of the teachers in our classrooms, deserve the respect and trust they have from their students, their colleagues and from parents. They have that trust and respect from all of us in this chamber, and indeed deserve that because of the work they do.

But we also know, and our education partners know, whether it's someone in a teachers' federation or the college or a school board, that there are individuals in this sector, as there are in other sectors, who do not deserve that trust, who take advantage of that trust, abuse the position they have and victimize our students. I think we have an obligation as legislators, as a government, to take a step that helps better protect our students.

There may well be issues that are raised by the opposition about improving or making it better, making it stronger, and I'm sure the minister would be interested in that input. But at the end of the day, I think it is good legislation. I think it is legislation we should support and move forward with.

I thank my colleague the Minister of Education, who I think is doing an excellent job, for the work she has done bringing this forward. I would encourage them—

**Mr Marchese:** She hasn't done anything.

**Hon Mrs Ecker:** I would encourage them, especially the member of the third party, to reconsider the position they took last fall when I stood in this House, some few seats down, and asked for consent to pass this legislation in December. The Conservatives on this side of the House gave that consent, and the Liberals on that side of the House gave consent. Unfortunately, the third party did not. I would seriously, seriously request that they reconsider that position for the benefit of the students in our schools.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I think that the bill, which is the subject of time allocation, is certainly worthy of some positive comments, but at this time I'm going to begin

my remarks by saying I'm disappointed that at this early time in the session we are here again debating a time allocation motion. There is a great deal to talk about on this bill, and I think it deserves a full airing of the issues. It seems to be a habit the government has that it is not inclined to consider the issues and what all the members of this Legislature have to say.

So I am especially disappointed that I must stand in the Legislature on an afternoon so very early in this session to speak to a time allocation motion, which is basically a government initiative to close debate on a very important issue, Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students. I can't think of a more important topic that would relate to our children, our youth in the province of Ontario.

The legislation is good legislation. The minister has indicated it is the best bill possible. I would not agree with that statement. I think it could be better. Had we more time in this Legislature to talk about the intent of the bill and where it is deficient, I believe the government might be convinced to understand that there should be some changes to ensure the safety and protection of all students in the province of Ontario. I'll be a little more specific on that issue in a few moments.

But first I think it's important to also offer some words of compliment to the member for Sault Ste Marie, who I believe was very courageous, as a member of this Legislature and a representative of his community, when he recognized an issue that unfortunately happened in his community and realized that in the province of Ontario we must enact laws that ensure that the kind of situation that unfolded in that community would not be repeated anywhere else in the province.

We were very fortunate as this work continued that the Honourable Sydney Robins issued a report, and it was that report that the member for Sault Ste Marie used as the basis of a private member's bill that dealt with this matter.

I had the opportunity to attend the public hearings for the private member's bill and it was in listening to the people who had taken time out of their schedules to come and talk about this issue—it was very important to them because they were concerned for the safety of students in the province, not just students in the publicly funded system but all students—that I became aware that this was an important piece of legislation but that it could be improved.

I am of course disappointed that some of the very important points that were made at those committee hearings have been overlooked with this legislation. We find ourselves in a situation where we are considering time allocation and, really, I think that there should be a much more generous time allocation so that the government could come to very clearly understand that while the bill is very good in its intention, there may continue to be children in this province who will be abused at the hands of people who would be teaching them.

I think it's probably appropriate now that I make clear some of the concern that I have with respect to the bill:

the way it is laid out and how in its application it is not consistent and does not provide equal protection for all students in either public or private schools in the province. The legislation only pertains to teachers who are members of the Ontario College of Teachers. It does not cover teachers in private schools or unqualified teachers. More and more in the province of Ontario, as we become victims of a teacher shortage across the province, boards have found themselves in situations where they must employ people who are not qualified teachers and therefore are not members of the College of Teachers. Yet these people are placed in positions of trust in our school communities.

It was also talked about at the committee hearings that it's not only teachers that have positions of trust in school communities. Education assistants have positions of trust; custodians in schools have positions of trust. Speech pathologists, therapists of various kinds who enter a school and are exposed to children are not caught with this legislation, so that it is possible that children could be taken advantage of and the board would not be able to use this as a tool to deal with those situations. I don't think that as a province we can afford or should ever even consider winking at that and saying, "Oh well, yes, that could happen but it may not or probably won't." If it happens once, that is once too often. If it happens once, it's all the more a tragedy when it could have been prevented if we had taken a little more time and been a little more careful with what we do here in this room. That's how important this legislation is and that is why I am making a plea today to the members of the government, to the minister, who would suggest that this is the best bill possible. I am saying that it is not the best bill. The best bill would ensure that no children, no youth, no students in the province would be exposed to people who could not be reported. This bill would allow that. Not just students in private schools; there are students in public schools who would be vulnerable as well. I don't care whether they're in public or private schools. No children in the province of Ontario should be vulnerable in that way.

**1630**

One other distinction that I think should be brought out in this debate, and it was brought out at the committee hearings, is the use of the term "sexual abuse" in the bill. The Honourable Sydney Robins, in his report, very clearly indicated that that may not be the best term to use to make sure that it enables a board to deal with all of the kinds of situations that may arise and, in some cases, have arisen in other experiences. The Honourable Sydney Robins would indicate that a more appropriate term to be used in the bill would be "sexual misconduct," that anyone who is convicted of sexual misconduct would have to be reported.

Those are two very important distinctions. The first is that anyone who would have a position of responsibility in a school should be caught in this because anyone who deals with youngsters potentially could abuse them, and for that reason, the language and the direction should be



that there would be a provincial registry—not just with the Ontario College of Teachers. I think that's a good idea, but for those who do not belong to the College of Teachers, there would be a registry so that conduct injurious to a student for which an individual could be convicted would be recorded and they would not be able to look for employment anywhere in the province without that register being contacted to make sure the person was not there. The other, of course, is the distinction around the terminology of "sexual abuse" and "sexual misconduct."

I think there continues to be a lot of work that can be done to make this the best legislation for the students, children and youth in the province of Ontario.

**The Acting Speaker:** Further debate?

*Applause.*

**Mr Marchese:** Thank you, Speaker. I almost got distracted. Thank you, my friends from the Conservative Party. Nobody cheered from the Liberal ranks. That's OK.

But I do want to stand up, speaking to this bill, the Student Protection Act, and remind the former Minister of Education, who's probably around, and others that we New Democrats supported this bill. I did, in speaking to it the last time, raise a number of objections, which I will raise again. We did say that the bill does, by way of a definition of sexual abuse, create a comprehensive definition of sexual abuse that includes not only physical sexual abuse but also sexual harassment, and that was a good thing. We argued that removal of teachers is a good thing inasmuch as it imposes a duty upon school boards to remove from the classroom a teacher who has been charged with or convicted of a sexual offence involving minors. That's a good thing. With respect to reporting requirements, all employers of certified teachers working with students 18 years of age or younger would be required to report sexual abuse, and that's a good thing.

We at no time when debating this issue said that we were in disagreement with the issues to which I spoke and to which the former Minister of Education spoke. We're not.

The former Minister of Education spoke about 10 minutes ago or so and made reference to the fact that New Democrats in the last session did not support the passing of bills willy-nilly. We said that what we wanted was proper and adequate debate in this Legislature, what we wanted from the government was not to introduce so many bills that it could not handle them within the legislative framework and then come at the last moment, toward the end of December, and say, "We need these bills. Yes, we haven't had adequate discussion of them, but that's OK because, by and large, there's something good in every bill that we all agree to. Therefore, we should pass them." That's not the way it works.

Our job in opposition, as New Democrats, is to oppose initiatives of the government where they are manifestly bad or where there are serious omissions of things that ought to be included in those bills. It is our duty as members of this party to point those out to the govern-

ment and to point them out, in particular, to those of you brave souls who watch this parliamentary channel. We speak to you. We address issues as they relate to bills directly to you. Because, as I often say in this House, the members of the Conservative Party are so busy in the background, back there somewhere, they've got so much else to do that they don't want to listen to Marchese. I understand that.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** We do.

**Mr Marchese:** The former minister, John Baird, who's my friend—

**Hon Mr Baird:** I'm still a minister, a little minister.

**Mr Marchese:** —the former Minister of Social Services—you're quite right, not to take away from any of that.

While there are a few of them who like to listen to me speak, the majority would rather be doing something else. I understand. That's why I communicate directly to you, to give you my best advice on bills as they come forward. That's the only opportunity you will ever have to get a contrary view, which you will never get from the government, because it's not in the business of offering contrary views on its own bills. You will never hear a Conservative member stand up in this Legislature and say, "I disagree with what my minister has done." You're not going to get that. The only place you're going to get it is from the opposition. While it is true that there may be some Conservative members, brave souls all, one or two—there may be more than that but it's hard to say—who might, in their caucus meetings from time to time, stand up and say, "I disagree, Premier"—there may be one or two brave souls, but there aren't too many. If there are, they're certainly not audible, at least to human ears.

So it's up to us to give you the goods on the bills. We opposed passing those 21 to 23 bills in the last session that this government held up till the last moment, hoping New Democrats would give in and say, "OK." "We'll give you New Democrats one of your bills if you allow us to pass all 23 of our bills." Is that the kind of bargaining Ontarians, those of you watching this political channel, want the New Democrats to engage in? I don't think you do.

It's our job to say to this government, "Bring bills in a timely way." Don't bring a hundred bills, which you have done irresponsibly, recklessly, in this place, hoping that New Democrats in the end would say, "All right, we'll give you a bill," and force us to give you 23 inadequately debated, badly framed to the extent they make omissions of things—which I will point out in a few seconds—that ought to be included. You can't do that.

Madame Ecker had lots of time to correct the mistakes of this bill. The new minister, who was herself a former teacher, had plenty of time, has plenty of time, to fix this bill. But she brings this bill forward on a time allocation, suggesting to you Ontarians watching that this bill is going to be moved along quickly. She will not spend a moment—even though, John, you were a former teacher and ought to know. You, Mr Hastings from Etobicoke—

**Hon Jerry J. Ouellette (Minister of Natural Resources):** North.

**Mr Marchese:**—North, a former teacher who ought to be on my side, Marchese's side as a New Democrat, saying we will not pass a bill—Mr Hastings from Etobicoke North, we, as teachers, would never pass a bill that has me and you covered, as a former teacher—meaning you and I have certificates. We went to faculties of education at Ontario colleges across Ontario. I think you did too; I don't know if in your time you did or not. In my time we had to go to the faculty to get that one-year degree.

1640

Twenty-five years ago or so you could get a job as a teacher after grade 13. You could. That's how Harris got in. After grade 13 you do one year somewhere and off you go, you're a teacher, high school or elementary. Mercifully, we changed the rules, otherwise you'd have loads of people—God bless, I don't mean to demean them, but I've got to say, three or four years of university helps a little bit; early childhood education helps. Any teaching in methodology, understanding kids, understanding how to teach and how kids learn is a good thing. You don't learn that in grade 13 or 12; you need time. That's how Harris got in.

Some people suggest that Harris has it against teachers. I don't think so, not because he probably wasn't a good teacher. God bless, I don't think so. No, he went after teachers because they were like welfare recipients, because you could give them the boot and there are a whole lot of people who say, "Right on."

But John, you and I were teachers. I had a teaching certificate, bachelor of education. I would be covered under this law and I say good, as it should be. But Madame Ecker was forced by Monsieur Flaherty, now the minister of opportunity and so on and so on, to accept Flaherty's behest to give money to private schools. Remember, private schools are schools like Upper Canada College. Sixty per cent of that money goes to people like Upper Canada College kids. Shelley, this is where they spend \$15,000, \$20,000. Do you have that kind of money? They spend \$15,000 to send these kiddies to Upper Canada College. Sixty to seventy per cent of private school dollars go not to the denominational private schools but to those that are private non-denominational schools. That's what Flaherty told Ecker she had to do. Poor Ecker, I'm sure she must have been carrying that load and saying, "I hate this." But poor Ecker had to do it and she did it. What are you going to do? He was the Minister of Finance and now is the minister of opportunity and so on and so on.

But here Ecker had this opportunity to fix the problem, even though Flaherty, the non-minister of education, imposed this on the Minister of Education. She had plenty of time to fix the problem. And what is the problem? The problem is that in those private schools, the ones where good taxpayers, all of you, all those fine Tories—you watch this program. I meet so many of you who watch this program, because you tell me so. You

good taxpayers are out of your own pockets taking money to support those people sending their kids to places like Upper Canada College. That's where your money is going. Anywhere from \$300 million to \$700 million of your hard-earned dollars are going there. The Minister of Finance now, the Minister of Education then, Madame Ecker, and the new minister, who is a teacher now, still have not fixed the problem that says, "Those teachers in those private schools who do not have a teaching certificate will not be subject to the law," which means the law protects potential abusers who do not have a teaching degree. Not only is it not right, it's flagrant, wilful negligence. It's heinous; it's egregious. It's stupid, certainly, but it's egregious stupidity on the part of the government.

We had Madame Ecker moments earlier say—I don't know what she said.

**Ms Martel:** She didn't respond. She never has. Why is that?

**Mr Marchese:** Thousands of people, former veterinarians from Northumberland, who don't have a teaching degree will not be subject to the law, therefore protected by the law that says, "If they abuse young people, that's OK, because the law protects them." Member for Northumberland, do you see how stupid it is? Member for Northumberland, I know the taxpayers who support you guys don't like it a bit. Not only do they not like your taking millions and millions of their hard-earned dollars to be given away to people who are wealthy to fund private education, but at the same time you're saying to those taxpayers that they do not have to worry about the fact that non-certified teachers in those private schools, denominational and non-denominational, will not be covered by the law. Taxpayers are not happy with that. They need to know.

Madame Ecker stands up and says, "We've got this great bill redefining 'sexual abuse' and removing teachers who commit sexual abuse." I say yes, mon amie Ecker, but what about the omissions? Where have you been all these months? You were out there for months. All you had to do was go and vote for the leader. That's all you had to do. I don't think you had to do much more than that in the last four or five months. You had all this time to fix the bill. Taxpayers, what have these guys been doing with all the money they're getting to be ministers, if not fixing these bills? I don't know.

Madame Ecker also made reference to the children's aid society. I was in committee, where I pleaded in a non-ideological way with these fine members who were in that committee. I said to them, "Look, the children's aid society is proposing an amendment." It was a reasonable amendment. It says, "In many instances, children's aid societies are involved in the investigation of reports of sexual molestation or sexual exploitation of children years before criminal charges are laid. Unfortunately, there are no provisions in the Education Act or the Child and Family Services Act which allow children's aid societies to report their findings to school boards." Follow me, Speaker. Follow me, taxpayers. It's a reason-



able request. They're saying, "We investigate sexual abuse, and we investigate it prior to it actually going somewhere." In other words, they know there is a problem before they go somewhere, but they can't report it anywhere. They are not, under law, obliged or permitted to report. So they said, "We would like this amended to read:

"(1) A children's aid society shall report findings respecting report of a pupil by an employee of a board to the board.

"(2) Boards shall be duly diligent in monitoring and investigating reports received under subsection (1)," meaning reports by the children's aid societies.

Do you understand, taxpayers? The Tory members are too busy to listen to me, even if they'd like to listen to me. The new minister was pretending to listen for a brief moment; we won't mention him by name. But surely those who are listening here would say, "That seems like a reasonable amendment." Is it a New Democratic amendment? No. It's the children's aid society that moved that amendment, and Madame Ecker was there. She was the minister then. The children's aid proposed that to them as an amendment.

Remember, they said in committee it couldn't be done. OK, I say, can you make a commitment to deal with this issue? Some of them, because I spoke to them in the background, said, "Yes, maybe there's something we could do with respect to the Child and Family Services Act." We're now almost into the month of June. We were dealing with this some time in November. Do you know, taxpayers, how many months have followed in between where they had time to fix this problem by way of a simple amendment? Ted, were you there in that committee? I forget. OK, he wasn't there. They had plenty of time, months and months, to bring an amendment that makes eminent sense. Children's aid is in the business of protecting children. They said, "We investigate sexual abuse, but we cannot report it. We're not obliged and not permitted to report it."

1650

Please, we want to help you to protect kids, which is the purpose of this bill. How can we protect some children and disregard other children? How can you do that? How can a government caucus, quite a few of them teachers and so many who pretend that they want to protect kids, permit such egregious omissions regarding the safety of young children from potential sexual abuse? How could you permit it?

Where are all these Tories publicly denouncing this? Where are these Tories who, if they do not want to publicly denounce this omission, privately would say, "We've got to fix it"? Where are these members of provincial Parliament, men and women, ready and willing to stand up for the protection of young kids, young teenagers? Not one has stood up either in committee, in this Legislature, in their caucus that I'm aware of, in any reporting in some small little town from which they come, suggesting that perhaps there is some frisson of worry about this and that they are likely to put pressure

on the Minister of Education, who was a teacher, who should worry about this bill. Instead, every member who comes here to speak, including the former Minister of Education, talks about the blah, blah, blah of the bill, how good it is and expects the New Democratic Party to just simply move on.

**Ms Martel:** Roll over.

**Mr Marchese:** Roll over, Beethoven.

That's not my job. My job is to criticize you when you do things wrong. And the member for Northumberland, it is my pleasure to whack you as often as I possibly can. It is a pleasure, I've got to admit. It's perhaps sadistic or masochistic, I don't know, but I do enjoy it. When you do things that are bad and/or wrong, wilfully wrong, it is my pleasure to whack you as hard as I can, because if I don't do it, nobody else will.

**Mr John Gerretsen (Kingston and the Islands):** Wait a minute, now.

**Mr Marchese:** From time to time some Liberals do it.

But I say to the member for Northumberland, I said this bill is a good bill. I did say it, didn't I? But do you just simply want me to stop there? Do you simply want this brain, whatever you might think of it, to simply disregard anything contained therein that is problematic to the protection of young kids? You don't want me to do that, member for Northumberland. You're probably going to speak next, because you always do, right? Are you speaking next? Are you up? Because you're always up, right? Yeah, the member for Northumberland is going to stand up and blah, blah, blah, the same stuff, and he's going to repeat the same stuff that Madame Ecker repeated earlier, the blah, blah, blah stuff, which I already agreed to, and he will not address the issue of why it is that those teachers in private schools who do not have a teaching certificate will not be subject to this law.

Member for Northumberland, please, try it. Listen, you know that script you're about to read? Throw it out. Just throw it out now and speak from the heart. Come on. Say what you feel. Come on. I want you to tell me what you think.

Look, Ernie Eves is giving you guys a lot of room; he is. He's giving so many a lot of room to change that cultural, political, ideological mindset, right? He's saying to you, "Look, we've got a different train. You gotta sound different." So don't parrot what you said in November. Try to be a little different culturally, politically and give the sense to the public that you've changed, a little bit.

I know it's hard for you, member for Northumberland, because your script is to a T. It's just the same; it never, never changes. Encourage me. Encourage me and encourage those who are watching this political channel that you're about to listen to Ernie Eves. And by the way, member for Northumberland, Ernie Eves, before he got elected, said he didn't like the fact that we were going to give public dollars to private schools and that they wouldn't be subject to the same rules. Then I think he said—member from Northumberland, correct me if I happen to be wrong—"Oops, I didn't quite say it like

that.” He rephrased it a little bit, because he got nervous about all the Upper Canada College types who probably pounded on him quickly, the Bay Street types, his colleagues. So as soon as they pounded and whacked him good, he said, “No, I didn’t quite say it that way.” But he did say, I believe, now that he’s the Premier, that those religious schools—and the non-religious and non-denominational—will be subject to the same kind of rules that the public, Catholic system is subject to. He did say that.

So I say to you, member from Northumberland, try to grasp this and see if you can answer it later on for me. If that is so, why isn’t Ernie, and the Minister of Education, a teacher, listening to his own advice when he says they should be subject to the same rules, the same standards? Member from Northumberland, because I know you’re next, if that is so, why isn’t Ernie moving on this? Why is he not saying that yes, they’re subject to the same standards, meaning curriculum, but what about the same standards, vis-à-vis protection for young kids, that teachers in the private schools who are not teachers will not be subject to? What about that standard?

Please help me and remind Ernie Eves that he’s got a little problemo on that, right? Because that’s what he said. He said he’s going to change the rules and the standards should be the same; on the other hand, on this issue he’s not quite clear. I don’t think Ernie thought it through. He is a lawyer, by the way, and a lot of lawyers think through things, normally. But on this one perhaps it’s a little detail I’m not sure he quite thought of.

But member from Northumberland, you can help him. The minister of post-secondary education is here. She can help him, because she is a former teacher.

**Ms Martel:** She’s going to tell us why.

*Interjection.*

**Mr Marchese:** Are you speaking to me?

**Hon Mrs Cunningham:** You made a good point—your seatmate.

**Mr Marchese:** Do I? But I want you—

*Interjection.*

**Mr Marchese:** Aw, she’s abusive again. Member for post-secondary education, you are a former teacher. I was saying to the member from Etobicoke North—he was a teacher—he probably had a teacher’s degree as well.

So I’m saying to you, if the rules around protection of children who are sexually abused apply to you and me, why wouldn’t they apply to the teachers in private schools who don’t have a teaching certificate? They apply to Toronto teachers, including those who have leave to teach. They do. But they do not apply to private schools. How could you as a teacher, minister of post-secondary education, allow that?

What? I didn’t hear. She’s not speaking to me.

I want you—because you guys have about 20 minutes—to stand up and say that the minister of post-secondary education—I want her to stand up and say, “I agree”—or disagree—“with Marchese, and this is why.” Two minutes, please. No, the member from Northumberland is going to blah-blah his way through this. No,

minister of post-secondary ed, don’t listen to him. He’s got nothing to say on this. He’s got nothing to say on that. Please, you take two minutes, because you were a teacher.

We need amendments to this bill. Member from Northumberland, I want you with your veterinarian skills to convince Ernie Eves to follow through on his pre-election, pre-Premier promise to give the same standards to all. He’s failing on that promise with respect to this bill. That’s why we’re standing up. That’s what we’re telling you, taxpayers. You’re getting whacked day in and day out. Your money’s going to private schools, and they’re not even going to be subject to the same rules.

Thank you, taxpayers. I hope you remind them of this.

**Mr Ted Arnott (Waterloo-Wellington):** It’s always a pleasure to listen to the comments of the member for Trinity-Spadina. His entertaining and eloquent comments are well appreciated by all of us.

I’m advised that on November 27 in the House, in the context of this bill in third reading debate, he said, “Yesterday I said that this was a bill we support because anything that protects students from sexual predators is a good thing.” And we welcome his support and thank him for that.

Perhaps that was a selective quote, perhaps he’s changed his opinion somewhat, but indeed we appreciate the support that he offered the bill during third reading debate.

*Interjection.*

1700

**The Acting Speaker:** The member for Trinity-Spadina has had his opportunity. He will come to order.

**Mr Arnott:** Thank you, Mr Speaker.

I am very pleased to rise today on behalf of my constituents in Waterloo-Wellington in support of Bill 101, the Student Protection Act, 2002, and in support of this time allocation motion to ensure its swift passage into law.

As I’m sure all members of this House will agree, nothing is more important than the safety and security of our young people in Ontario. We all recognize that the vast majority of Ontario’s teachers are not only dedicated professionals, but also caring, law-abiding people. Teachers in Ontario are committed to enriching the lives of their students and to protecting them from harm. These teachers deserve the trust and respect of students, parents and their peers, and, I might add, the provincial government. Unfortunately, the sad reality is that sexual abuse has occurred from time to time in our schools. There have been teachers in the system who have knowingly taken advantage of their positions of trust and who have victimized their students.

Our government believes that Ontario’s children need a school environment that is free from sexual abuse or professional misconduct that puts pupils at risk of harm or injury. In support of that belief, we introduced Bill 101, the Student Protection Act, 2002. This bill sends a clear message to those who would prey upon children: stay out of Ontario’s schools or there will be harsh consequences.



As members know, Bill 101 is part of the government's response to the recommendations made by Mr Justice Sydney L. Robins. In his report, *Protecting our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario's Schools*, Justice Robins developed a total of 101 recommendations. Our government has examined those recommendations with great care in co-operation with our educational partners. Bill 101 represents one of our most important responses to these recommendations.

As members are aware, the bill proposes a series of amendments to the Education Act, the Ontario College of Teachers Act and the Teaching Profession Act. The legislative amendments in this bill are designed to stop sexual predators.

For example, in part I of the proposed bill, the government proposes an amendment to the Education Act that is critical to protecting students from sexual abuse and harassment. This amendment would place an important new duty on school boards to remove any potentially predatory teacher from the classroom. Under the proposed amendment, whenever a board becomes aware that a teacher has been charged with or convicted of an offence that involves sexual conduct and minors or any other offence that might place students at risk, the board would be required to ensure that none of the teacher's duties involve contact with students. This requirement would apply to all certified teachers and temporary teachers working for school boards and school authorities across the province. As I indicated earlier, it would require the immediate removal of any teacher from the classroom and from any other duties that might involve contact with pupils.

Ensuring that school boards take swift action is just one of the important aspects of this proposed legislation. In addition, Bill 101 also proposes a broad definition of "sexual abuse" which would include "sexual intercourse or other forms of physical sexual relations" between a teacher and a student, any "touching, of a sexual nature," of a student by a teacher, and "behaviour or remarks of a sexual nature" by a teacher toward a student. Members should note that this broader proposed definition of "sexual abuse" is designed to capture not only sexual assault but also inappropriate sexual remarks and behaviour.

I would like to take a moment at this point to remind the honourable members of the role played by the Ontario College of Teachers in regulating the professional teaching standards in this province. In this regard, the college has a number of important responsibilities. For example, the college determines teaching qualifications and sets standards of conduct for its members. It is also responsible for investigating and disciplining its members who are accused of professional misconduct. As members are aware, all members of the Ontario College of Teachers are bound by the professional standards that the college sets out.

In Bill 101, the government is proposing a number of important changes in the reporting relationships that

currently exist between the College of Teachers and those who employ certified teachers. Under the proposed legislation, employers of certified teachers would be required to report to the college within 30 days after a teacher's employment has been terminated or his or her duties restricted for reasons of professional misconduct.

I mentioned earlier that the government has listened carefully to the opinions of our partners in the development of this bill which is before the House. In response to the comments we received, we've made changes that we believe will strengthen and improve the proposed legislation.

For example, in response to the feedback from the College of Teachers during their presentation before the standing committee on justice and social policy, we've included a new amendment to Bill 101. This amendment would strengthen one of the new requirements for employers to report to the college in the proposed act.

The amendment is designed to deal with a teacher who resigns while his or her employer is investigating an allegation that, if proven, would have caused the employer to terminate or restrict the teacher's duties for reasons of professional misconduct.

Under the new amendment, the employer would now have to report the teacher's resignation and the circumstances of the resignation to the Ontario College of Teachers. This provision is important because it would prevent potential abusers from moving undetected from one board to another.

Another change in the reporting requirements would require the college's registrar to report back to employers on the action taken by the college. This requirement is designed to help ensure that employers are made aware of the disposition of cases that involve their employees.

Under the proposed bill, employers would also be required to notify the college when they become aware of a number of important circumstances, such as when a charge has been withdrawn, when a teacher has been discharged following a preliminary inquiry, when a charge has been stayed or when the teacher has been acquitted.

Finally, to ensure compliance with the proposed legislation, Bill 101 would make it a provincial offence punishable by a fine of up to \$25,000 for an employer to contravene the reporting requirements of the bill. These reciprocal reporting relationships are designed to inform all parties who have an obligation regarding the protection of students about any activity that might put students at risk.

I would also point out that Bill 101 sets out responsibilities for teachers, school boards and the Ontario College of Teachers that are similar to those that are already in place for some other regulated professions, including nurses and doctors. Moreover, I would like to take this opportunity to remind the House that in addition to the proposed legislation we are debating here today, our government has moved forward with a number of other initiatives that are designed to protect children from sexual and physical abuse.

These initiatives include a provincial model for a local police-school board protocol which we issued in December 2000. The protocol requires schools and local police forces to develop protocols for police involvement in schools. In addition, this government strengthened the Child and Family Services Act in 1999 to give front-line child protection workers better tools to do their jobs.

The government also committed to establishing an ongoing \$5-million fund to help teachers throughout the province identify when children, especially those in the primary years, may be at risk of neglect or physical or emotional harm. Work is also continuing to introduce criminal background checks for teachers and other school employees and on a number of other important initiatives to ensure that our children can learn in a safe and secure environment.

As members may know, the Ministry of Education, through its school-based service program, provides funding to school boards on an annual basis for projects that provide prevention education to teachers and students. The projects deal with a range of issues, including violence and sexual harassment. As well, Ontario's new, more rigorous curriculum introduces all students in an age-appropriate way to such personal safety topics as sexual harassment, child abuse and violent relationships.

Finally, the Ministry of the Attorney General has expanded its program of specially designed, child-friendly courts to help make the courtroom less intimidating for young victims and witnesses.

I believe that Bill 101 is vital legislation and that it deserves the full support of this House and that it should be passed into law as soon as possible. If the bill receives the assent of the Legislature, the Student Protection Act, 2002, will guard against a number of activities by certified teachers. Those activities include any act that results in a charge or a conviction involving a certified teacher's sexual conduct and minors; any other charge or conviction of an offence that in the opinion of the employer may put students at risk of harm or injury; and any conduct or action that in the opinion of the employer should be reviewed by one of the college's committees. The proposed bill would also help prevent teachers who stand accused of sexual assault against a student from transferring undetected to another school board.

1710

One final aspect of the bill I'd like to mention today involves the responsibility of all teachers to be vigilant and to take personal action against sexual abuse in the schools. Under the existing provincial law, certified teachers who are members of the Ontario Teachers' Federation are required to notify their colleagues when they file an adverse report against them. To ensure that protecting students is the first priority, Bill 101 proposes an amendment to the Teaching Profession Act that would not require notification of adverse reports when the report involves sexual abuse by a teacher. The government is committed to working with our education partners to extend this provision to any and all situations where a student may be at risk of potential harm.

As I mentioned earlier, Bill 101 represents an important part of our government's commitment to ensuring that Ontario's schools offer a safe and secure environment. Sexual predators have no place in our schools. Bill 101 is designed to ensure that the sexual abuse of students by teachers is dealt with in an appropriate way.

As I mentioned earlier, and I want to remind honourable members, this bill was developed after considerable consultation with our education partners, and their input has led to significant improvements in the proposed legislation. I would like to take this opportunity to thank all of the education partners who devoted their time and resources to providing thoughtful advice on this important subject. In particular, I'd like to thank the Ontario College of Teachers for its advice and for the actions it has taken in response to Justice Robins's recommendations.

Our government believes that protecting children is a fundamental responsibility that our whole society shares. We all have a responsibility to do whatever we can to prevent sexual abuse and to keep our children safe. By supporting Bill 101, the Student Protection Act, 2002, all honourable members have an excellent opportunity to ensure that Ontario's schools are safe and secure.

I would like to conclude my remarks by asking my colleagues in this House to join me in taking positive action to ensure that Ontario's children can learn in an appropriate environment by giving their support to Bill 101.

**Mr Alvin Curling (Scarborough-Rouge River):** I just want to say how much I appreciate the opportunity to speak on Bill 101. As a matter of fact, I'm not going to be able to speak on Bill 101 because they have forced us to speak on a closure motion, a shutdown of democracy again in this Legislature. This is quite the habit of this government.

But before I do that, I just want to commend my colleague from Waterloo-Wellington. You gave an excellent speech about what's in the bill, and I want to commend you for that. But you did not say what was not in the bill, and that is one of the concerns we have. He's one of the most respected individuals in this House, and I know that if they had given him something outside of that script, he would have spoken very well about what's not in the bill.

But let's talk about what could have been in it. I've got a few minutes here to speak. I want to divide my remarks in two respects: one is the fact that there is this motion in the House today to say that we will limit you from speaking about the issue; we will make sure that the people of Scarborough-Rouge River, who have elected me to express their concerns about legislation in this House and concerns about this government, are limited to do so.

They also tell me too that this government refused to meet in the House for six months, closed this place down for us not to debate, and say that when we do come back they will limit me again in the time I will speak on this motion. So I'm restricted to speak about the limitation of



democracy, the shutdown of democracy that is such a habit of this government. This concerns my constituents very much.

As I speak to many of those members on the government side who are backbenchers, they have expressed to me their concern about that: how much they have not gotten the chance to speak about their constituencies. But even today we saw an example, the muzzling by the minister who had taken the time of the backbenchers to speak. The former Minister of Education didn't give the others a chance to speak. That tells you again how muzzled they are in speaking on the issue.

**Mr Rick Bartolucci (Sudbury):** They're muzzled all right.

**Mr Curling:** Yes, muted in a way.

But isn't that disgusting, to know that an election was held, where they have given those people the democratic right to come in to represent those individuals, and they did not get a chance to speak? This is disgraceful.

But as I always say, there's always hope. I believe in the democratic process.

**Mr Gerretsen:** No, not with this group.

**Mr Curling:** Not in this group, but in the people who have seen the light of these individuals, who are very much waiting for an election to throw this undemocratic government out of power.

However, I want to spend a little time on Bill 101, about the fact that I would have been able to speak at length on the things that people talk to me about in the constituency of Scarborough-Rouge River, that wonderful riding, where people are so concerned; that diverse riding; that riding that has some wonderful teachers, that profession that people are committed to, who, as a matter of fact, have been subjected to a lot of abuse by this government and by the ministers of the past, the Minister of Education, who have seen these people being so abused that most of them speak to me about leaving the profession because their employer has abused them so much. But I have hope in these people. They are committed to their jobs. They are committed to the wonderful people of our province, our students, who need that protection.

Here we are. We have this very important bill, Bill 101, that came, of course, out of a very tragic situation, and then immediately these reports were being published that said we should do something immediately, first, to protect students from sexual abuse and otherwise that were provided for the protection of students in any other legislation that they have.

What is happening here is that this bill completely fails to realize that those who interact with students within that environment are not only teachers. They are people who are custodians. They are librarians. There are many other professional people who are in the institution who interact with students. We would like to say, then, that what this bill is saying is, "We're only targeting teachers." Again, it almost looks like they're picking on teachers. Sure, if there is any individual, any teacher in this institution who abused a student, I think they should

be dealt with severely and should be taken out of the profession.

The fact is that we have completely ignored the other professionals. Is this because we're limited and not to have it debated? If this legislation, Bill 101, was given outside to be debated, if it was given a chance to be debated, these issues would have been raised. One of the most important parts of democracy is to hear from the people. This government, of course, doesn't like to do that, because then they hear the truth.

You know, there's a rather interesting thing happening lately. People are saying that there seems to be a change of government attitude over there since Ernie Eves has become Premier. What they say is that he says yes to everything. He's even saying yes to things he doesn't even know. I'm quite sure he's not familiar with this Bill 101, the limited aspects of this bill. Therefore, by saying yes, we are saying to him, "Give it a chance, then, for public hearings. Give it a chance so that we can debate and discuss this in more detail." But, oh no, he said, "Let's shut it down."

Can you also imagine, Mr Speaker—and I will have the discussion with you afterwards about this, in the House and afterwards—that this government has not yet introduced a bill that we can really debate? They're just trying to hustle in things. They're hustling one in today. But can you imagine, that after all this time—six months out of the House—they're in here for almost two weeks, June is coming and the House will be closing and we have no budget to go on? This government hasn't done anything. You're just saying yes to everything. As a matter of fact, we're wondering if he has a mandate. He realizes he has no mandate, so he's borrowing from everywhere else. As my colleague said, maybe he should call an election. If he calls an election, then it forces him to direct himself accordingly.

1720

I would say in the short time I have—and my colleague will indicate to me when my time is up—that what we should be doing right away is opening this legislation back up. Let us have it debated publicly—I challenge the government to do that—because there are many things that people would like to discuss. What we should do is keep this government accountable. We will continue to do that. Dalton McGuinty and the Liberals will continue to make this government accountable, especially for the limiting and undemocratic way they have behaved in the past, in the present and likely in the future.

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to speak on this time allocation motion. Like some of the members in the opposition—the members from Essex, Nickel Belt and Hastings-Frontenac-Lennox and Addington—I'm disappointed about having to have a time allocation motion. I too think it's unfortunate, because I have so many quotes here from members in the opposition who support this bill that I can't for the life of me imagine why they want to drag it out any longer when they have that kind of support. I can go back to

October 3. There's support after support after support from both of the parties in opposition. Then on November 26 and again on November 27, there are unlimited numbers of quotes of support.

They talk about cutting off debate, but when are we going to get on with other things if they support this? This is the kind of thing we would just move along. As a matter of fact, we've had two hours and 53 minutes in third reading. If you go back and have a look at what was happening during the lost decade from 1985 to 1995, you'll find periods when the average length of debate at third reading was 20 minutes. That's what your average would be. This is a bill you've agreed on, and it's two hours and 53 minutes. We have to take it to time allocation just so we can get moving along.

Take, for example, the kind of foolishness that was going on in this House last evening, when a member of the NDP moved adjournment of debate within two minutes of ending his speech and then moved adjournment of the House. I think that was very much out of order.

When we talk about consultation and the extent of consultation that our government has had, there's no question that it's been a hallmark of our government—the Ernie Eves government, the Mike Harris government. You can go through the list: after second reading, we've gone out; after first reading; we've even taken draft legislation and gone out before first reading—that's unheard of—to get comments from the public and their opinion of the legislation. When you talk to members in other provinces, they don't go out on the road and travel as we do here. We got out on the road and have extensive consultations in every part of this great province.

I think that if the opposition was really interested in getting on with legislation, they would work with a bill like Bill 81, the nutrient management bill, which is so important to our environment. It should have been through a year ago, but, no, they dragged their feet and played games, and it's something that could be doing so much. We could easily have had the nutrient management bill through and in place at this point in time. I think it's a real shame.

I also refer to what happened the other day in the House, and this has actually happened on several occasions. I'm thinking of when the Honourable Ernie Eves responded to the member from Toronto-Danforth when she was questioning him about her safe water act. He agreed with her that, yes, with amendments, it would be a good idea; we'll work on it, and we'll get it through. With that kind of support coming from our leader—the Eves government doing a tremendous job supporting the opposition with some of their good private members' bills—I would think they would be prepared to start working with our new leader in the same spirit of co-operation. But obviously it doesn't seem to be there quite yet.

I think the last two speakers should go back to some of the comments they made. I would think the member for Scarborough-Rouge River would be quite interested in

some of his comments. This is from October 3 in Hansard: "I want to say how much I appreciate being able to comment on this Bill 101. I think it's an extremely important piece of legislation. I also want to commend the government for bringing this forward and acting upon the Sydney Robins report." He goes on to say, "We have a good system here and we are moving also to a good system of education"—this is a member of the Liberal Party—"good teachers, the other sorts of changes that you're putting forward. I really applaud those teachers in this very complex and challenging society." This is the kind of support coming from the official opposition.

The other speaker we heard just a little earlier, the member from Trinity-Spadina, back on October 3 said, "I have to tell you that on this particular bill she's got 90% of my support, that it's a good bill, and that they have clearly followed the advice of Justice Robins and used his report as the basis of this bill. That's to be complimented." He goes on to say, "I just want to say to the public that's watching this debate that from time to time Liberals, New Democrats and Tories agree for the most part. But by and large we support the bill, and I support the comments made by all of the Liberal members who have spoken."

You can go back through. In October the member for Parkdale-High Park said he supported it. The member for Windsor-St Clair said he supported it. The member for Don Valley East said he would support it. The member for Prince Edward-Hastings did. I've also just quoted from the member for Scarborough-Rouge River. On October 10, the member for Renfrew-Nipissing-Pembroke did. Then on November 26, the member for Sarnia-Lambton supported it. Again on November 26, the member for Prince Edward-Hastings and the member for St Catharines supported it.

It's beyond my understanding why we would have to bring in time allocation to get on with this piece of legislation when there's so much support from the other side of the House. Not only did they say that as individuals they supported it, but they were saying their party supported it. I would expect their leaders had given them permission to be able to say that in the Legislature. After listening to some of the debate here this afternoon, it's really difficult to understand why we're into this particular debate.

I go back to some of the other legislation that our government has passed; for example, Bill 110, the Quality in the Classroom Act—what an excellent piece of legislation that has been; the change in the curriculum that we've brought in; the college for teachers that's really brought teaching into a self-disciplining profession. But I think the one that kind of parallels and goes along with this particular bill is the Safe Schools Act. Here was an excellent piece of legislation to improve safety in our schools. We've heard some of the incidents that have been happening in our schools of recent years, and they just shouldn't be happening. Our students, our young people sitting around you here on the dais, Mr Speaker,



are the kind of people who need that kind of protection in their schools. They shouldn't have people coming into the school who are not on staff or who are not students without registering at the principal's office so their presence in the school is known. We need that kind of safety in the schools. We've made a requirement for school boards to draw up a police-school protocol which lays out when the police are to be called. We also brought in the requirement for a criminal record check of all staff working in our schools, another step to ensure that our students will indeed be protected.

I see Bill 101 as being a very, very positive bill, moving forward, accomplishing quite a bit for our students and our young people, ensuring safety in our schools and ensuring that there will not be sexual predation there.

To summarize, the Student Protection Act would catch the following activities by certified teachers: any act that results in a charge or conviction involving a certified teacher's sexual conduct and minors; secondly, any other charge or conviction of an offence that in the opinion of the employer may put students at risk of harm or injury; and third, any conduct or action that in the opinion of the employer should be reviewed by one of the college's committees.

In closing, I'm pleased to be able to support not only the time allocation motion that is before the House this afternoon, but also Bill 101, a very important bill and one of the many bills that we have been bringing in for education, but that more particularly in this case will protect students. I look forward to its speedy passage once we vote on this time allocation motion.

1730

**Mr Gerard Kennedy (Parkdale-High Park):** It is my pleasure to rejoin this debate. It is unfortunate, as the member for Scarborough-Rouge River, my colleague Alvin Curling, mentioned, that we are under this constraint, and only for this reason: the government has had this bill out of committee since November. If the government had wanted to bring this bill in, if it was very sincere, like some of what we heard on the other side of the House, they would have had this in front of the Legislature by now. Further, Justice Robins reported more than two and a half years ago, and this is the best the government could come forward with.

This is and ought to be a non-partisan issue, but I'm here to report today what happened at committee. Instead of the member opposite motioning to some of the students on the dais, what we heard at committee from the children's aid society was something very startling and something none of the members opposite have acknowledged. They are here to do their duty for children around this province, and yet the children's aid society, with the statutory powers of protection, asked this committee and asked this House to wait, to make this a better bill. That's what they said. In fact, having investigated the very incident that happened that got Justice Robins to conduct this investigation, they said this: the bill we have in front of us would not have prevented the very situation that brought it about in the first place.

So we have, instead of some backbone from the Tory backbench, instead of some idea on behalf of the individual members sitting here that they could take this issue and do something with it that we could feel good about—because, as the gentleman from the children's aid society said to us, this only happens once in a rare while. This affects three different bills. We could have done this right. Unfortunately, what we see here is again the intrusion, the rude interruption, of ideology of the members opposite who are so concerned about talking too much because of what isn't in this bill. Specifically, it's a bill that doesn't extend itself; it's completely impossible to understand based on the kind of language that we've heard in this House today around protection, around public duty and the duties of this House. It doesn't extend protection to children in private schools. The government decided they didn't want to do that, they didn't want to intrude, they didn't want to get in the way of those children's protection.

They told us the premise of this bill and the premise of Justice Robins's report is that actions are needed because of the special vulnerability that exists, and I think we're all willing to concede and acknowledge that's true. In a classroom, between a teacher—or quite frankly any adult—and children there is a trust relationship. If there is a need for this special legislation, then surely this special legislation should apply in every single classroom in this province. But we have 50,000 children, about half of those in the private schools, who will not be touched by this legislation. Nor in those same committee hearings were the government members willing to consider extending this protection to volunteers, to other people in positions of responsibility. They voted down those amendments.

Again, this is not a question of doing anything but better legislation. There was no one on the side opposite who was willing to take up the real role of acting on behalf of children and saying, "Look, let's do some of this instead. Let's take the time; let's roll up our sleeves. If the Liberal amendments aren't good enough, let's find some better amendments and let's do what Justice Robins asked."

Justice Robins did his job. He's a member of the judiciary. He sat down with due probity, he looked at the issues, he looked at a very sensitive subject about the abuse of young people, and he came back to us with a very substantive report, and significant portions of that report are missing in this legislation. There has never been a response from the government side, any significant utterance, to say why. What is the government afraid of doing that would actually give full justice to Justice Robins's report and, more importantly, to the experiences that beget the need for the report in the first place?

So we have a situation where we have a bill that will be supported, I believe, by most members of this House, but it will be done so not so much reluctantly as with a sense of having missed not just an opportunity but our obligation. Our obligation in raising these kinds of

subjects that are still difficult for people to talk about is to do them well. I think every member in this House shares some of that responsibility.

Instead, we're being asked to deal with a very limited bill, a bill that doesn't look at the full scope, a bill that only concerns itself with the conduct of teachers when Justice Robins was absolutely clear that every adult in that position of responsibility needed to be included, a bill that doesn't address the most substantive things. If you look at Justice Robins's very significant large book on this particular subject, he says that what really matters here is that prevention take place. Justice Robins is not necessarily interested in just nailing people who may have committed some of these kinds of acts; he doesn't want them to happen. I would like to believe that's the shared outlook, the shared desire, of everyone in this House.

This bill doesn't do that. Bill 101 does not offer advance protection to students. It is only after the fact that this bill actually does some level of screening. But because of the nature of the acts we're talking about, where many of the people who may be—I also want to add, by way of perspective, that we're talking about a minuscule number of people around the province, a minuscule number of people who abuse their trust. But when we're talking about the case of those people, many of them don't have criminal records, so the other part of what Justice Robins is talking about is actually more important: the kind of conditioning, the kind of educating, the kind of awareness-raising that he believes, having spent his time at the discharge of this Legislature—we asked him to do this. Unfortunately, and I'm sure Justice Robins in his non-political position from the bench can't tell us this, I get a very strong sense that we're letting him down. I get a very strong sense that there isn't the courage on the part of this government to actually do what he has asked us to do.

Instead, they not only voted down opposition amendments but they've sat on this bill. We are not dealing with this bill in an expedited way because the government tried its hardest to get this through; we're dealing with this in an expedited way because the government is rearranging the agenda to its particular convenience. It has had two and a half years to do things with Justice Robins's bill, and instead of letting us have substantive debate on it—and we only need as much time as it takes for the government to explain why it decided to leave these huge loopholes in the bill, why it is that it decided to do better than Justice Robins and that it was not going to act on the things he said we needed to do. I think each member of this House has to take that as a personal duty because we're the only ones who are going to consider this.

Bills and reports like Justice Robins's are the kinds of things that I think go right to the heart of the trust nature that we find ourselves in in this House. There are very few people except the families that are affected who are going to be concerning themselves with these things, because they happen so rarely, but they're so heinous

when they occur that we have that higher duty. For whatever reason, the government simply isn't up to it, isn't prepared to make that happen.

What I'm saying is that when we find that the government doesn't wish to do this, I don't think it's sufficient reason for us not to vote for the bill. I certainly am prepared to support their limited measures. But I do believe that before this debate is finally over, we deserve from the Minister of Education or from any member opposite an explanation about why they couldn't offer what Justice Robins asked for, which is a full measure of protection of the very vulnerability that brings us here today. Instead, we have thousands of kids and dozens of situations that are not subject to protection.

I want every member of this House to at least have been subjected, through this debate, to the knowledge of that responsibility. I see the member opposite who is the new parliamentary assistant for education and who spoke on behalf of this bill and is perhaps not fully aware of the committee hearings. I don't want to be the member of this House who learns something happened that we could have prevented with this bill today.

So I say to the government, reconsider. Have a look at what Justice Robins said. Have a look at the amendments that were brought forward to committee. They were brought forward in a spirit of non-partisanship. If you don't want to talk about private schools, fine. There are other parts of this bill that need fixing. I cannot understand why you've not only let it sit there but now you're time-allocating it, and why you don't find this subject worthy of protection. But I say again to each member of this House, we'll all bear the responsibility if this bill proves, at the end of the day, to be deficient.

1740

**Mr Gerretsen:** I would like to join this debate and deal with a couple of the issues that the member from Parkdale-High Park has mentioned because, as we all know, he is a gentleman who works extremely hard in his critic capacity dealing with education.

I also listened earlier to the parliamentary assistant. He gave a very good speech, but why didn't he answer the fundamental questions that people on this side of the House have been asking: why are private schools excluded? Give us one reason. There are 50,000 children going to private schools who are somehow excluded from the parameters of this bill. We haven't been given one reason. I know if the parliamentary assistant had an opportunity to say something more about this bill, perhaps he would address that. Maybe we'll hear on third reading.

The other issue is the children's aid societies' concerns about this bill. I take it this bill basically came forward out of the Robins report that was done, and here we have children's aid societies that deal primarily with abuse situations saying that the contents of this bill don't deal with the problems that were identified by Justice Robins. Why did the ministry not deal with those concerns? Why were those amendments not included in the bill?



I think the last time we discussed this bill was when it came out of committee, on November 17, which is about six months ago. We sat for at least another six weeks after that. We haven't been sitting at all in this Legislature over the last four and a half months, until about two weeks ago. Why has it taken the government so long to bring this bill back, and why didn't it make the necessary amendments that the children's aid society talked about, that the Robins report talked about? The government just refuses to answer that. For the life of me I cannot understand why they're doing it.

There is one reason why I think they're doing it. This government, when it comes right down to it on these kinds of issues, is interested in only one thing, and that's optics. It looks as if they're doing something, but when you really examine the essence of the legislation, they're not dealing with the real issues and the real problems. That's the only thing I can think of. We've seen it in so many other bills, from the squeegee kid bill—I could just go on and on. All of these so-called tougher bills, when you look right into them, there's nothing there.

What I am really concerned about is the actual substance of what we're dealing with here this afternoon, and that deals with the time allocation motion and the closure motion. I've spoken about this many times in the past, and perhaps people and certainly the members here may be getting sick and tired of it, but I think this is an extremely important issue.

During the recess I had the legislative research people in our parliamentary library, who are non-partisan people who work for all parties to get the necessary information, do a report for me as to how often closure has been used, not only here but also in other parliamentary systems, and how closure is dealt with in other parliamentary systems. I think it's important for me just to list some of the statistics so that the people of Ontario have some idea as to the scope of the problem that we have with this government currently.

You might be interested in knowing that during the five years of the Liberal government there were 312 bills passed in this House, from 1985 to 1990. Do you know how many were time-allocated? Five. There was a total of five out of 312 bills.

I know the member opposite will say, "A lot of the bills only took 20 minutes of debate." The reason why they only took 20 minutes of debate was that, generally speaking, they were good bills that everybody in the House agreed upon.

Let's go on. During the NDP years of 1990 to 1995, there were a total of 163 bills passed. Do you know how often time allocation was used? Eighteen times: 11% of the time.

Let's go back to the Harris years from 1995 and now the Eves years. Do you know how many times time allocation has been used? In 191 bills, time allocation has been used 73 times. As a matter of fact, since 1999, time allocation has been used in 32 out of 37 bills that we have discussed here. That's 86% of the time. They say, "Well, why?" I have a suggestion to you, sir, that you

instruct your House leader to get together with our House leader and the NDP House leader to come up with a meaningful process whereby the members and the House leaders can decide how much time certain bills ought to be given that may be more important in the totality of things than other bills. But the current way of dealing with it, that whenever you don't like what's going on you just bring in a time allocation motion, certainly is not the way to go, not when you've used it 32 out of 37 times just since the 1999 election.

We have been back here for two and a half weeks, and do you know how many government bills have been introduced since that time? One. That was the electricity bill that, according to the Premier today, really doesn't mean very much. It only clarifies the fact that the government owns Ontario Hydro, or something to that effect. When the matter is before the appeal court right now, and whereas in many other matters they basically say, "We can't deal with the issue, because it's before the courts right now," in this particular case they're saying, "No, we don't care if it's before the courts or not. We just want to pass this very simple bill that's just going to say that we actually own Ontario Hydro and we can deal with it in whichever way we can." You and I know, Speaker, that the real reason for passing this bill is so that they will actually do something with Ontario Hydro, such as the sale of Ontario Hydro during the summer, when most people are at the cottage or are away and certainly the House will not be sitting at that point in time.

I would say to the government House leader—and I'm very pleased to see that he's in the House today—get together with your colleagues and straighten out this mess so that you don't have to time-allocate 86% of bills, which is totally unacceptable.

The other suggestion that I have for him—and this is a rule that has now been adopted by the federal House and other parliamentary jurisdictions as well—is to take a look at standing order 67 of the federal House. Do you know what that says, sir? It basically says that if you time-allocate a bill, the minister will be in the House during the last hour of the discussion of the time allocation and the closure and will be subject to questions from any member in the House—opposition, third party and government members—and basically give the reasons as to why you want to time-allocate it. I still haven't heard a reason as to why closure is being invoked on this bill.

**Mr James J. Bradley (St Catharines):** It's because they didn't have the House sitting.

**Mr Gerretsen:** I know, the House hasn't been sitting until about two and a half weeks ago.

The point I'm simply trying to make is that this party that currently governs Ontario has a total disrespect and disregard for the democratic system. The fact that just about every bill that comes through here is time-allocated—and it's time-allocated even after, in this particular case, it has advice from the children's aid society that the bill isn't really dealing with the issue that Justice Robins identified in his study in the year 2000. I say to

myself, this is an undemocratic government. They really don't care about the opposition, certainly, but they also don't care about the will of the people. All they are interested in is optics. I'm saying that is not in the best interests of the people of Ontario.

I would suggest to you, sir, that you pull the bill back, deal with the necessary amendments and include the private schools as well so that we can actually have a bill that will do something about this horrible problem that has been identified in the bill.

**The Acting Speaker:** That concludes the time allotted for debate. I will now place the question.

Mrs Witmer has moved government notice of motion number 5. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1750 to 1800.*

**The Acting Speaker:** All those in favour will please stand one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hardeman, Ernie
Baird, John R.	Hastings, John
Barrett, Toby	Hodgson, Chris
Beaubien, Marcel	Hudak, Tim
Chudleigh, Ted	Jackson, Cameron
Clark, Brad	Johns, Helen
Clement, Tony	Klees, Frank
Cunningham, Dianne	Marland, Margaret

Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Runciman, Robert W.
Sampson, Rob
Spina, Joseph
Sterling, Norman W.
Stockwell, Chris

DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Eves, Ernie
Galt, Doug
Gilchrist, Steve
Gill, Raminder

Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
McDonald, Al
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn

Tascona, Joseph N.
Tsubouchi, David H.
Tumbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

**The Acting Speaker:** All those opposed will please stand one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Churley, Marilyn
Colle, Mike
Conway, Sean G.

Cordiano, Joseph
Crozier, Bruce
Curling, Alvin
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Hampton, Howard
Kennedy, Gerard
Kormos, Peter
Lalonde, Jean-Marc

Marchese, Rosario
Martel, Shelley
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ruprecht, Tony
Smitherman, George
Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 29.

**The Acting Speaker:** I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
Brant	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac-Lennox and Addington	
	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Hoy, Pat (L)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Ruprecht, Tony (L)	Kenora-Rainy River	Gerretsen, John (L)
Davenport	Caplan, David (L)		
Don Valley East / -Est	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Wettlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel-Wellington-Grey	O'Toole, John R. (PC)	Kitchener-Waterloo	Beaubien, Marcel (PC)
Durham	Colle, Mike (L)	Lambton-Kent-Middlesex	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Eglinton-Lawrence	Peters, Steve (L)	Lanark-Carleton	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Elgin-Middlesex-London	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Leeds-Grenville	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Erie-Lincoln	Crozier, Bruce (L)		Wood, Bob (PC)
Essex	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London North Centre / London-Centre-Nord	Mazzilli, Frank (PC)
Etobicoke Centre / -Centre	Hastings, John (PC)		<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Etobicoke North / -Nord	Kells, Morley (PC)	London West / -Ouest	
Etobicoke-Lakeshore	Lalonde, Jean-Marc (L)	London-Fanshawe	
Glengarry-Prescott-Russell		Markham	

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long Term Care / ministre associé de la Sa et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minis ter of Northern Development and Mines / ministre du Développement du Nord e des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Trava Cleary, John C. (L)
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Bartolucci, Rick (L)
Northumberland	Galt, Doug (PC)	Sudbury	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affai and Housing / ministre associée des Affaires municipales et du Logement
Oak Ridges	Klees, Frank (PC)	Thornhill	McLeod, Lyn (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	Gravelle, Michael (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Ramsay, David (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Bisson, Gilles (ND)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Smitherman, George (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Churley, Marilyn (ND)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Marchese, Rosario (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Sorbara, Greg (L)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Arnott, Ted (PC)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity an Innovation / ministre de l'Entreprise, d Débouchés et de l'Innovation
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	Pupatello, Sandra (L)
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Duncan, Dwight (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Kwinter, Monte (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Munro, Julia (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Cordiano, Joseph (L)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Sergio, Mario (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Al McDonald,  
Norm Miller, Michael Prue  
Clerk / Greffière: Anne Stokes

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

# CONTENTS

Wednesday 29 May 2002

## MEMBERS' STATEMENTS

<b>Ian Davidson</b>	
Mr Bartolucci .....	431
<b>London Knights of Columbus</b>	
Mr Wood .....	431
<b>Northern health travel grant</b>	
Mr Gravelle .....	431
<b>Galt Collegiate Institute</b>	
Mr Martiniuk .....	432
<b>Trafalgar moraine</b>	
Mr Colle .....	432
<b>Dave Knowles</b>	
Mr Barrett .....	432
<b>Michael Smither</b>	
Mr Peters .....	432
<b>Save Our Schools Day</b>	
Ms Churley .....	433
<b>Muskoka steamships</b>	
Mr Miller .....	433

## FIRST READINGS

<b>Reliable Energy and Consumer Protection Act, 2002,</b>	
Bill 58, <i>Mr Stockwell</i>	
Agreed to .....	434
<b>Trafalgar Moraine Protection Act, 2002, Bill 59, <i>Mr Colle</i></b>	
Agreed to .....	434
Mr Colle .....	434

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Competitive electricity market</b>	
Mr Stockwell .....	435
Mr McGuinty .....	436
Mr Hampton .....	437

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr McGuinty .....	438
Mr Eves .....	438, 439, 443
Mr Hampton .....	439, 442, 445
Mr Bryant .....	443
Mr Young .....	443
Mr Stockwell .....	445

## Big Ticket lottery

Mr Klees .....	441
Mr Young .....	441

## Competitive electricity market

Mr Conway .....	441
Mr Eves .....	441

## Apprenticeship training

Mr Stewart .....	442
Mrs Cunningham .....	442

## Forest firefighting

Mr Barrett .....	443
Mr Ouellette .....	443

## Ministry of Health contract

Mrs Pupatello .....	444
Mr Clement .....	444

## Oak Ridges moraine

Mr Galt .....	444
Mr Hodgson .....	444

## Environmental protection

Mr McGuinty .....	445
Mr Stockwell .....	446

## Franchise businesses

Mr O'Toole .....	446
Mr Hudak .....	446

## PETITIONS

### Post-secondary education funding

Mr Bartolucci .....	447
---------------------	-----

### Young offender facility

Mr Kormos .....	447
-----------------	-----

### Horse riding safety

Mr Arnott .....	447
-----------------	-----

### Community care access centres

Mr Bradley .....	448
------------------	-----

### Hydro One

Mr Hoy .....	448
Mr Curling .....	449

### Doctor shortage

Mrs Dombrowsky .....	448
----------------------	-----

### Affordable housing

Mr Caplan .....	448
-----------------	-----

### Medical school tuition

Mr Hoy .....	449
--------------	-----

### Ambulance services

Mr Bradley .....	449
------------------	-----

### Long-term care facilities

Mr Bisson .....	449
-----------------	-----

### Audiology services

Mr Caplan .....	450
-----------------	-----

## GOVERNMENT MOTIONS

<b>Time allocation, government notice of motion number 5, <i>Mrs Witmer</i></b>	
Mrs Witmer .....	450
Mr Bisson .....	450
Mr Crozier .....	451
Ms Martel .....	452
Mrs Ecker .....	454
Mrs Dombrowsky .....	456
Mr Marchese .....	457
Mr Arnott .....	460
Mr Curling .....	462
Mr Galt .....	464
Mr Kennedy .....	465
Mr Gerretsen .....	466
Agreed to .....	468

## OTHER BUSINESS

### Visitors

Mr Kormos .....	433
Mr Parsons .....	434

### Member's privilege

The Speaker .....	433, 438
Mr Prue .....	437

## TABLE DES MATIÈRES

Mercredi 29 mai 2002

## PREMIÈRE LECTURE

<b>Loi de 2002 sur la fiabilité de l'énergie et la protection des consommateurs,</b>	
projet de loi 58, <i>M. Stockwell</i>	
Adoptée .....	1357
<b>Loi de 2002 sur la protection de la moraine de Trafalgar,</b>	
projet de loi 59, <i>M. Colle</i>	
Adoptée .....	1359



CA20N  
X1  
- D23



No. 11B

N° 11B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Wednesday 29 May 2002**

**Mercredi 29 mai 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 29 mai 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### HERITAGE HUNTING AND FISHING ACT, 2002

#### LOI DE 2002 SUR LA CHASSE ET LA PÊCHE PATRIMONIALES

Resuming the debate adjourned on May 28, 2002, on the motion for second reading of Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche.

**Mr Wayne Wettlaufer (Kitchener Centre):** I rise tonight to speak to this bill as a fisherman. I have been a fisherman since I was a little boy. I rise as a member of the Ontario Federation of Anglers and Hunters, and I'm very proud of it.

*Interjection.*

**Mr Wettlaufer:** In answer to Mr Caplan across the way, yes I have caught some that big. I've also caught some this big, and I've lost my share. I don't hunt any more. I don't pull the trigger. I choose to hunt with a camera.

*Interjection.*

**Mr Wettlaufer:** I listened to you for an hour last night and I didn't interrupt you.

It has disturbed me greatly, listening to the debates the last couple of nights, listening to the Liberals and the NDP try to pick holes in a bill that meets what the members of the Ontario Federation of Anglers and Hunters want. We want a bill that enshrines forever our right to fish and hunt.

They come across with all kinds of arguments, saying the bill doesn't do this, the bill doesn't do that. Let me assure you, it meets our needs. It meets the needs of fishing and hunting within the laws. Of course, any bill is going to demand that whatever we do meets other laws. No fisherman or hunter claims that what we do should be contrary to a law. I'm very proud to have been a lifelong fisherman, but anything I have ever caught has been within the laws.

Mr Bisson, the member from Timmins-James Bay, said last night that we've imposed slot sizes. Yes, we have. Slot sizes are good for conservation. They may not always meet with what an individual fisherman's expectations are in an area or in an individual lake. But in the interests of conservation, slot sizes need to be imposed. Sometimes barbless hooks need to be used. Sometimes catch-and-release needs to be employed. I have been "victimized" by all three rules and regulations, but I'm proud of it. I'm a conservationist.

My earliest memories of being a fisherman are of going out as a very young boy with my father and my grandfather in a rowboat. We didn't troll back in those days; we fished with a worm. I remember my earliest disappointment was when I hooked a very large bass and then lost it. I got him to the top of the water but, of course, not being a very good fisherman then, I didn't know how to bring him into the boat.

The important thing was, whether I fished with my father and grandfather, as we did year after year, or whether I did it with my daughter as I got older and wanted to show her the outdoors, I learned something very valuable about the heritage of fishing, and that is what the members of the Ontario Federation of Anglers and Hunters want. They want us to protect the heritage, the memories, being able to fish with our children and grandchildren so that future generations will also be able to fish with their children and grandchildren.

1850

I can remember taking my daughter to a creek one sunny afternoon. We saw a couple of speckled trout in the creek. Just the way the sun was shining through the trees on to the creek we could see the fish and she got all excited about being able to see the fish. Had I been a tree hugger from the city of Toronto, who thinks the sun rises in Markham and sets in Mississauga and doesn't know what a fish looks like, other than what they get down at the local fish market, at the St Lawrence Market, I would never have had this opportunity to show this to my daughter. She would never have had the opportunity either.

Fishing contributes to male bonding as well. Whether you call it male bonding—in some cases, women go out fishing together as well. They go on fishing trips.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** Do they do male bonding too?

**Mr Wettlaufer:** They don't do male bonding, I say to the government whip. They do female bonding.

I say to the government whip and, Speaker, I say to you that I am sharing my time tonight with the government whip and also the member from Haldimand-Norfolk-Brant.

I want to point out that when I was elected in 1995, one of the notable quotes that was given to a member of the local media was, "You sure get to know a person when you spend all day with him in the boat." That meant a lot to me because that individual knew my weaknesses and my strengths. That's what fishing gives you.

As I want to share some of my time, and by the clock I can see that I am out of time, I would like to relinquish the rest of my time and defer to the member from Haldimand-Norfolk-Brant.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I consider this proposed legislation, the Heritage Hunting and Fishing Act, a very important piece of legislation, recognizing that for generations we in Ontario have enjoyed hunting and fishing. It's part of our heritage. Certainly in rural Ontario and in the north the connection is much stronger. In my riding, for example, hunting and fishing are, for many, much more than recreation. They are a way of life, especially if you are a farmer.

As a former parliamentary assistant to the Ministry of Natural Resources, I joined former minister John Snobelen and former northern development minister Dan Newman to announce the Heritage Hunting and Fishing Act. The bill was introduced November 19, 2001. This act does fulfill our government's 1995 commitment made to anglers and hunters across the province to enshrine the right to hunt and fish and to guarantee that future generations will have continued opportunities. The proposed legislation, in spite of what we may hear, does not change current laws. The government will continue to set standards and policy to ensure sustainable hunting and fishing and the management of the resource.

Secondly, this act has no provisions that would affect aboriginal or treaty rights. As part of this act, our government, as we know, will establish the Fish and Wildlife Heritage Commission to provide advice to the minister.

Across Ontario—and I think we heard this in the House previously—the numbers of people who hunt and fish are staggering. Every year, there are more than 2.4 million people who participate in recreational hunting and fishing. This cannot be repeated enough. This contributes more than \$3.5 billion to the provincial economy and provides 30,000 jobs. It provides jobs in my family. Both my sister and my brother-in-law manage what's called the Long Point Co, a duck-hunting club that has operated for well over 100 years out on Long Point on Lake Erie.

Hunters and anglers cherish the outdoors and they play a key role to protect it. In fact, over the last 15 years, hunters alone have contributed \$335 million to habitat restoration and conservation. I think of the efforts to restore the wild turkey. We lost that particular species in Ontario from lack of habitat. We've also seen in Ontario a 200% increase in the number of white-tailed deer. Given the impact on our economy, our way of life,

conservation efforts and the money that goes in from volunteer organizations, it's certainly time for this government to recognize these important contributions.

Support for this legislation is overwhelming. I chaired three regional stakeholder consultation meetings last year, held in Thunder Bay, Timmins and Sutton. Input was encouraging. This legislation was posted on the province's Environmental Bill of Rights, and well over 18,000 comments were received. Of those 18,000 comments, 97% of the people supported the right to hunt and fish.

I recall some of the comments that came in on this EBR registry. One person wrote, "My grandfather and father lived off the land and hunting and fishing to me is a real heritage....a heritage to be preserved." Another said, "I can think of no better way to instill upon our youth of today the values we cherish and enjoy than by hunting and fishing with parents and friends of the generation ahead of them."

As a lifelong hunter myself—I'm not much of a fisherman; I admit that—I couldn't agree more with the sentiments that came forward on this Environmental Bill of Rights. In short, the Heritage Hunting and Fishing Act is timely, it will ensure that we can continue to enjoy activities that many of us take for granted today, and through it, our government will preserve a way of life and part of our heritage. It plays not only a very vital but a social role in the province of Ontario.

This is not without precedents in other jurisdictions. For example, a number of states have passed similar legislation. The state of Alabama in 1996: "All persons have a right to hunt and fish in this state in accordance with the law and regulations."

The state of Virginia passed legislation in the year 2000: "The people have a right to hunt, fish and harvest game, subject to such regulations and restrictions as the General Assembly may prescribe by general law."

In 1998, the state of Minnesota, a neighbour to the northwestern part of our province: "Hunting and fishing and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good."

The state of North Dakota in the year 2000, and I quote a statement from their legislation: "Hunting, trapping and fishing and the taking of game and fish are a valued part of our heritage and will be forever preserved for the people and managed by law and regulation for the public good."

In Canada, a provincial policy statement reads, "Newfoundland declares and affirms the traditional privileges and freedoms of hunting, angling and gathering of wild foods by the citizens of this province subject to the laws of Newfoundland and Labrador and Canada and to laws for the purpose of conservation and proper management of all wildlife, fish, game, wild foods and other natural resources."

I commend the wisdom of this government for having the foresight to create legislation such as we're seeing



before the Legislative Assembly this evening. I suspect, if anything, this may serve as a barrier for any hare-brained ideas in the future to try and take away something we now take for granted.

1900

**Hon Mr Baird:** I'm very pleased to have the opportunity to rise and speak very briefly on behalf of my constituents in the riding of Nepean-Carleton on the Heritage Hunting and Fishing Act. This is a very important piece of legislation to a good number of people in my constituency. Over the winter months, a lot of people spoke to me and said this should be a priority when the Legislature resumed and that it should be passed and that the rights contained in the legislation and the commission in it should be put into the force of law.

I wanted to indicate my strong support of the whole idea of legislating the right to hunt and fish, and having the power of enshrining that in legislation. It's part of our heritage. It's something that we want, as a province, as elected representatives and indeed as citizens of Ontario, to pass on to future generations in the province. It's just a huge part of our heritage, really in every part of the province, whether in my part of the province, in eastern Ontario, in central and southwestern Ontario or indeed right across the north.

I was impressed the other day with the speech of the Minister of Natural Resources when he spoke about the importance of this where he grew up and how essential it was to his family life. I thought he spoke for many people in the province of Ontario and certainly many of my constituents in Nepean-Carleton.

I'm not a big person to promote regulation for the sake of regulation, but I do think it's important and responsible to regulate hunting and fishing activities in order to ensure that they're sustainable, to protect these resources for future generations. There could perhaps be no greater responsibility that we have than to pass off a better environment and to protect our natural resources so that we, as the custodians of those resources, can pass them on to future generations. Things like catch-and-release, setting limits for fishing—I am a fisherman but not a hunter—those practices and exercising those rights responsibly are incredibly important, and this legislation certainly recognizes that.

Recreational hunting and fishing create literally thousands of jobs across Ontario, more than \$3.5 billion—this in an incredibly big industry. The tourism sector in many parts of Ontario is one of the centrepieces of the local economy. Indeed, this is the case big time in southern Ontario. In northern Ontario I've had the opportunity to visit the constituency of my colleague the member for Kenora-Rainy River. To see the number of outfitters who depend on this type of industry is really incredible.

I was really astonished at the number of American tourists who come up, particularly to northwestern Ontario, to enjoy the good outdoors in Canada and the hospitality of the tourism sector and to share the beauty of our environment. There is great walleye fishing up there, and largemouth bass in Lake of the Woods, which

is undoubtedly one of the most pristine and beautiful parts of the province of Ontario.

I know Will Stewart will suggest that he was able to catch more fish than I was on one of those occasions. In fact, I had to teach him how to fish, and after I did he was able to learn a bit, which was fortunate for him.

I'm a strong supporter of this new Fish and Wildlife Heritage Commission. I think having a body that can advise the minister and the provincial government and indeed all Ontarians about the conservation of this important resource is something that is incredibly important. I wanted to indicate my support and the strong support of so many people in my constituency for not just the commission but for establishing and legislating and enshrining the right to hunt and fish in a provincial statute and to give this piece of legislation my strong support.

**The Acting Speaker (Mr Michael A. Brown):** Questions or comments?

**Mr Peter Kormos (Niagara Centre):** In but a few moments, Howard Hampton, leader of the New Democratic Party, is going to be speaking to Bill 135.

New Democrats have, and you heard the leadoff speech from our member from Timmins-James Bay, support for hunters and fishers but also serious concerns about the legislation. I want to tell you that if you listened to the debate engaged in by Mr Bisson with respect to this bill, you heard some of that concern, quite frankly, from a number of perspectives. It's not just hunters and fishers who should be concerned, because the argument has made very clear that the bill is zero; that at the very best it's symbolic.

At the same time, there are communities in this province about which and in whose interests and for whose interests we should be very concerned. They need spokespeople in this Legislature as well. Quite frankly, it's going to be from among New Democrats that you're going to hear people speaking on behalf of yet other constituencies.

This is not as clear-cut as many would have many others believe. There are issues here in conflict and, quite frankly, when you hear from Howard Hampton, leader of the NDP, you'll be hearing that we believe this bill should be submitted to the committee process. The members of the public, interested parties, have a right to make their views known and raise concerns about what are, albeit it is a brief bill, some very subtle connotations in the bill that have generated a great deal of concern among some very specific communities and very specific constituents. That's why I urge people to listen carefully to the upcoming speech by Mr Hampton.

**Mr Ted Chudleigh (Halton):** I want to congratulate the two members from our caucus who spoke to this bill.

**Hon Mr Baird:** He wants to congratulate the two of them but the bonding thing scared him.

**Mr Chudleigh:** Yes, the bonding thing I'm a little concerned about, but I know the member from Kitchener is extremely serious when he talks about the times he has with his family and his children in hunting and fishing—in his case fishing.

I know in my family I have had tremendous moments of time, afternoons and mornings, very early mornings sometimes, fishing in a stream, trying to catch the elusive speckled trout and occasionally a brown trout. It's very rare that you ever get a brown trout on your line. In fact, you see them far more often than you can actually catch them. I understand they aren't very good to eat anyway, so it's best just to leave them in nature. But those moments in time when you're in a stream, perhaps a very cold stream, in your waders up to your knees, are indeed very special times in the memories that you have with your family, particularly of when that family was very young.

I certainly think that hunting and fishing are a heritage right that should be preserved in this province and indeed among our civilization. After all, I think it's where we came from and if we don't remember our roots, certainly it's a questionable future. So I would love to support this bill and I thank the member from Kitchener and the member from Haldimand-Norfolk for their comments.

**Mr Gilles Bisson (Timmins-James Bay):** I listened intently to the discussion by the three members, not two, who spoke from the government caucus and I didn't hear one of them address some of the concerns that we have in regard to this bill. As we've said, this bill gives anglers and hunters no rights. It says you have the right to hunt and fish provided you follow the law—that's what we do now so there's nothing new—and you set up a commission where there's a committee to advise the minister.

In meetings I've had with MNR and in the briefings I was at, I've asked the question: what does this give anglers? Could the anglers have any kind of new ability to stop a government from taking rights away from the hunter as hunters see it—new slot sizes such as this government did, cancellation of the spring bear hunt as this government did, taking money out of the special-purpose accounts that are supposed to be there for anglers and hunters, which they did—and the answer is no. The anglers would have no ability to stop any of that. Any government could do what it wants because it writes the laws. I asked the government to show me in this legislation specifically how they figure anglers are going to get new rights. There's nothing. It says anglers and hunters have the right to hunt and fish provided they follow the law, so this bill does nothing.

This is the first question: tell me how you're going to give people rights by definition of this legislation. We've passed it through the various ministry people, we've passed it through lawyers, and we're all of the same opinion.

The second thing is, are you, at the very least, prepared to accept some of the amendments I put forward yesterday that I talked to you about that deal with some of the issues anglers and hunters are really concerned about, such as emulating what we have in the sustainable forests redevelopment act as a type of citizens' committee approach, or even using the existing citizens' committees to refer all those questions to, so that anglers, when they're being attacked, as they have been by this

government, have an ability to influence the process before the decision is made?

Are you at least prepared to accept some of those, as I would see them, friendly amendments that would actually enable us to protect some of the issues that are near and dear to anglers and hunters?

1910

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Je peux vous dire que oui, je suis prêt à appuyer ce projet de loi puisque c'est un projet de loi qui va définir vraiment par cette commission les droits déjà acquis par nos chasseurs et nos pêcheurs.

Les personnes qui sont portées à faire de la chasse régulièrement sont portées à respecter les lois qui sont en place. Nous savons que, actuellement, nous avons beaucoup d'animaux dans la forêt Larose de la région de Prescott-Russell, où je demeure, et aussi dans la région des terres humides d'Alfred qui sont en voie de disparition. Une commission qui serait mise en place, comme le projet de loi le décrit, aidera définitivement à faire comprendre au public l'importance de conserver notre patrimoine.

Il faut se rappeler qu'avant la construction de grandes routes, comme seul moyen de transport nous avions la rivière des Outaouais, pour un exemple, à partir de Montréal, qui se rend à la baie d'Hudson. Nous procédions dans ce temps-là à la vente de fourrures. Depuis ce temps-là, la vente de fourrures a diminué. Il n'y avait aucune directive, aucune politique en place afin d'assurer la protection de ces animaux-là qui étaient en voie de disparaître.

C'est la même chose pour la pêche. Je demeure dans une région qui est située entre la rivière des Outaouais et le fleuve Saint-Laurent. Il est connu que la plus grande pêche de l'Ontario se produit dans la rivière des Outaouais, et c'est une région où auparavant nous avions des pêcheurs qui n'étaient pas vraiment expérimentés, qui étaient là pour faire la piastre, comme on dit toujours, qui étendaient des filets et qui éloignaient vraiment le tourisme de la région qui aujourd'hui est très important.

**The Acting Speaker:** Merci. Response.

**Mr Barrett:** Throughout the consultation and debate there has been a modicum of resistance to this initiative. We recognize that there is an anti-hunting community, an anti-fishing community and certainly an anti-firearms community. I think what's very important to keep in mind is the significance of hunter training and hunter education. Many of us have taken these firearm safety courses, perhaps several times over. I do give the federal government credit. The federal firearms safety course is an excellent program and I recommend that to anyone. But what's very important is for people to make decisions based on knowledge of hunting and fishing and of the equipment that is used in this kind of activity.

The key word is "safety" with respect to the hunter safety program. I'm very proud of this government's having brought in the hunter apprenticeship safety program for 12-year-olds. Many of us first learned to hunt, for example, when we were 12 or 13. I was given my first



firearm at the age of 13. The whole key to any activity, and certainly hunting, which is a very safe activity, as is fishing, is the safe and proper handling of the firearm, a respect for wildlife and a respect for private property, something else that is very important with the significant urbanization of this province. What's key in a lot of this hunter training program is to give people more awareness of the principles of wildlife management and the importance of regulating habitat and wildlife.

**The Acting Speaker:** Further debate?

**Mr Steve Peters (Elgin-Middlesex-London):** The riding of Elgin-Middlesex-London covers about 80 kilometres of the north shore of Lake Erie and extends out to the middle of the lake, much like Mr Barrett's riding, out to the American border. The northern boundary is the Thames River. Included in the riding are a number of watersheds: Talbot Creek, Kettle Creek, Catfish Creek, Otter Creek.

It's a riding that has deep roots. As an individual who's extremely interested in local history and the origins of what we have in our own backyard, I've taken time over the years to study our past. We have a long history. You can look back and find evidence of archaeological sites dating back over 10,000 years, to the paleo and archaic times. As these sites have been examined over the years by archaeologists, one of the things they found is that we've learned a lot about the past. But at the same time as we've learned about the past, how you can relate the past to the present, these sites excavated have shown evidence that the First Nations were hunters, they were fishermen, that it was a part of their life.

You can find evidence of many animals that are no longer present in southwestern Ontario. You can find evidence too of a lot of fish that we can't find in southwestern Ontario any more, either. But there is a past, and the past does relate to the present. I think it is important that we do recognize those traditions and that we recognize the right—albeit in many ways with this legislation it is a symbolic gesture recognizing that hunting and fishing is of importance to many people in this province.

I think too we need to respect those individuals who have expressed concern about this bill. We need to ensure—and I will agree with my colleagues from the New Democratic caucus that it is unfortunate that we're not going to committee hearings with this legislation. Far too often we see with bills before us in this House a piece of legislation being put through, but the opportunity should be granted for public hearings and the opportunity granted to put forth amendments. And if I have to be critical of the government with this initiative, this legislation, it would be that you're not giving the public the right to have input into this legislation.

We need to ensure that—and the information we've received is that this bill will not alter or supersede any existing legislation and it will not impact on constitutional or treaty hunting and fishing rights. Because if it did, we would be extremely opposed to this legislation.

I think too we need to accept the fact that this isn't going to reduce the ability of the Ministry of Natural

Resources to enforce conservation laws or give away any of the minister's decision-making power.

As I said earlier, where I grew up in my own riding, my house backed over the Kettle Creek. The Kettle Creek valley was my playground. I can't stand up here and say that I'm a hunter, because I'm not a hunter. But I respect the rights of those individuals who choose to hunt. Am I a fisherman? I guess I would have to say I don't get a chance to fish. But when I have an opportunity, I do go out and I enjoy it. I think I've only kept one fish in my life, and that was a big lake trout that I caught with a good friend of mine, Tony Bianchi, on Lonely Lake, outside of Echo Bay in northern Ontario. It was a great night. I'll never forget catching that fish. I think it was the only fish that I ever kept, and somebody else filleted it and cooked it. We had a good meal and we did have a good time.

1920

So I don't have a lot of fish stories that I'm going to stand here and tell you about tonight, because my experiences are probably catching sunfish, little catfish or the occasional mud puppy.

One of the things I would comment on, that I think we all need to collectively accept some responsibility for, is how we have altered our environment and how we need to be ever diligent in ensuring that revenues derived from hunting and fishing licences are going back to support conservation programs, because we've done so much damage to the environment in this province. I can see it in my own backyard where, every spring, I would watch the Kettle Creek rise. At the old dam at Waterworks Park, you'd see the fishermen down there dip-netting. You'd watch them catching the pike. But you know what? The pike are gone.

It's like the Great Lakes and what's happened in Lake Erie. We've lost so many of the great fish that we had in the past: the blue herring, they're gone; the sturgeon, gone. We can't say that it's because of overfishing. We have to accept that what we've done, from an environmental standpoint, has had an impact. I think we need to be ever conscious of that. We need to be more conscious of what we do to the environment.

We've heard a lot of talk over Walkerton. A lot of fingers were pointed at the farmers of this province and it was said that the farmers were damaging and destroying the environment. But we have to recognize and accept the collective responsibility.

As a former mayor of a municipality who watched, every time it rained, our pollution control plant bypass and dump millions of gallons of raw sewage into our creeks, which then eventually ended up in our lakes—we have to accept some responsibility. As a municipality, the city of St Thomas recognized that. We built a combined sewer overflow which is going to help remove about 90% of those bypasses.

We have to look too at the rural communities and septic systems. Septic systems are polluting the environment. It gets into the groundwater, which gets into the

creeks, which gets into the lakes and damages our environment.

We need to recognize too that there are many people with boats who are irresponsible and pull the plug on their sewage holds and let it flow into the water.

So as we stand here today and enshrine this right to hunt and fish, that's good. But I think every one of us in this Legislature needs to recognize that we do need to do a better job at looking after our environment. There are many groups and organizations out there doing that.

What I'd like to do tonight is pay tribute to some of those groups for what they're doing to not only help educate us and make us better aware of issues facing the environment today but at the same time make efforts to help turn around and undo some of that damage we have done which we need to accept responsibility for.

As an example, I would pay tribute to the Lake Erie salmon and trout hatchery in Port Stanley and the work they have done over the years, ensuring that we've tried to stock our creeks and the Great Lakes, to bring back some of those species of fish that have disappeared. I pay tribute in particular to a friend of mine, Kit Brown. Kit has worked tirelessly to ensure that they could do what they could do.

I look at the Catfish Creek Conservation Authority and their efforts at Springwater Park. Right now, as we speak, they're holding their annual trout derby, where they stock Springwater Pond, the old White's Pond. They try to encourage families to use it as an opportunity to spend time as a family group and come out and participate in a fishing derby. Proceeds are going back into conservation measures and I commend them for that.

I want to talk about a couple of other organizations that are in my riding, the St Thomas Gun Club and the East Elgin Sportsmen's Association. These are organizations that are, from the standpoint of handling a firearm, trying to teach individuals how to handle a firearm in a responsible way. I think that is important; education is important. They also offer opportunities from a recreational standpoint: target shooting, skeet shooting and trap shooting.

I want to go on the record tonight, in particular to the East Elgin Sportsmen's Association, and talk about a subject that I think is of extreme importance, and I am glad to see Mr O'Toole here tonight. It's the issue of a product known as SoundSorb that's being used at gun clubs around this province. My issue has not been with the East Elgin Sportsmen's Association and what the sportsmen's association is doing, because I commend them for what they're doing.

My concern, though, is with the Ministry of the Environment and the irresponsible way that the Ministry of the Environment has not set forth in a clear and concise manner whether these gun club berms, these SoundSorb berms that are being constructed across this province, are safe. The government has been studying this for over six months and they keep telling us the report's coming, but they can't tell us if this is a safe product.

I'll stand up in this Legislature and apologize to the East Elgin Sportsmen's Association if the Ministry of the Environment says this is a safe product. But they haven't done that. I know Mr O'Toole has raised it and he too has waited for these answers. We haven't heard.

I know why the sportsmen's association is doing it. They're doing it to comply with federal gun laws and they're trying to save themselves money. I understand that. I'm not trying to cost them more money, but I think it's irresponsible for the Ministry of the Environment not to give that assurance to the East Elgin Sportsmen's Association and other gun clubs, whether they be in Napanee, Oshawa or Madoc, the assurance that that's a safe product. Because if it is shown that it's not a safe product, those gun clubs have had to accept a terrible liability.

I know there's another one—I see Mr Martiniuk here from Cambridge. There's another new club that's opened up in the Guelph area which is using this SoundSorb product. But again, the Ministry of the Environment has not demonstrated that it is a safe product. If they do, to my friends in Aylmer and East Eglin, I'll say, "Sorry." It's not an issue of guns; it's an issue of the environment.

In talking about this legislation that's in front of us tonight, we need to ensure that the government does everything they possibly can. There's no doubt that what we're really seeing in front of us is a feel-good piece of legislation. As is the mantra of this government, "promises made, promises kept," they're doing their best to keep another promise.

I just wish they'd keep other promises, though, like having enacted a strong and effective Ontarians with Disabilities Act. They didn't do it. I wish they had kept the promise to the farmers of this province with their made-in-Ontario safety net program. They didn't do it.

It's interesting how they come and go as to what they promise, what promises they keep and what promises they don't keep. It is a piece of legislation that in many ways does recognize that right to hunt and fish, but there could be more to it. We could be working to ensure for those individuals out there who are concerned about aspects of this legislation that those are preserved.

#### 1930

I want to talk a little bit about some of my own experience with the spring bear hunt. I truly believe it has something to do with the spring bear hunt. I've been going for the past 10 years to visit my pal Mike McKechnie at Massey, Ontario. Mike is the deputy mayor of Sables-Spanish Rivers municipality. I've been visiting Mike for 10 years up there. For 10 years we never saw a bear. The only time you'd see a bear is if you went to the landfill site. Well, last year I was up to visit Kech and, you know, every day that we were there last summer we saw a bear—we saw a bear in the morning, we saw a bear in the evening. I've never been so spooked in my life, as I told the Speaker at the time, as when I was driving down the road and this bear came out of a ditch and across the road in front of us. We hit the brakes; the truck's all over the road.



I'm not saying—I don't know if it's the spring bear hunt, but for some reason there is a lot of bear in the Massey area now. I didn't see them, as I say, in 10 years of going up there, but I almost got done in by a bear. And that's not a fish tale or anything—the truck did a fishtail—but it was true.

I guess I just want to sum up and go back to the points of the environment. I can remember the days when we didn't have the fishing licence. I've got my licence in my wallet and I want to ensure that those dollars are going back in to support conservation programs.

We can talk all we want about ensuring the right to hunt and fish, but I would urge the government to do a better job, to go farther from an environmental standpoint to ensure that we're doing everything we can to act in a responsible manner to preserve the environment, and not just enacting the legislation to make it happen but coming to the table with the dollars.

As we're dealing with the nutrient management legislation that's going to regulate farming in this province, we know that it is a piece of legislation that is going to be good for the environment in this province. But the legislation is going to be useless without those capital dollars being put in place to help the farmers, to make those capital improvements that are going to be required. We need to do that, and we need to do that with other pieces of legislation. We need to support programs such as the fish hatcheries of this province. We need to support the programs that are taking place in the Spanish River to reintroduce the muskie. We need to do what we can to support the programs that are taking place in Lake Nipigon right now in looking at the sturgeon population. We need to work with the commercial fishing industry in this province.

I, like Mr Barrett, Mr Crozier and a number of others, represent a large commercial fishing sector. We need to ensure that we strike that balance between the rights of anglers and the rights and the needs of the commercial fishermen in this province. We need to support that industry. We need too to ensure that the rules we put in place in this province are going to be comparable and that our American friends are putting in place the same rules. There's a lot that we can do. Enshrining the right to hunt and fish is just that; it's that right. But can we do more? Yes, we can do more. Do we need to do more? We need to do more, and we need to work together collectively to do that.

With that, Speaker, thank you very much. I yield the floor.

**The Acting Speaker:** Questions, comments?

**Mr Michael Prue (Beaches-East York):** I listened with some considerable interest to the speaker, the member from Elgin-Middlesex-London. I think he hit most of the salient and key points that he should. He was absolutely on point when he talked about the environment and how environmental degradation has very much hampered redevelopment of fish stocks and I think some of the animal life, particularly in southern and southwestern Ontario. He was very key on point when he talked about

the declining fish habitats and the fact that people in southern Ontario, which is the majority of people who live in this province, live in areas where there simply aren't the quantities or the qualities of fish any more. He gave some very good examples of declining habitats or the fact that there are no sturgeon left and the problems with the muskellunge, and he mentioned several others as well.

I would commend him for what he had to say, but the most important thing he had to say, and I thank him for this, was that he believes this bill should go to committee. This is what we think as well. We believe that it should go to committee because there are many people in this province who can provide first-hand and accurate knowledge to the members of this Legislature. They can provide information about fish habitats, they can provide information about environments, they can provide information—he didn't talk about it, and perhaps I will later, if I get a chance—about the native people of this province and the role that we have to play with them to preserve the wildlife and fish habitats of Ontario. That is the key and salient point that he wished to make, and I wish to reiterate it and to thank him for making that point, that this cannot be done in isolation of all of the people. This must be done in conjunction with the hunters, in conjunction with the anglers, in conjunction with the native people.

I look forward to speaking more on this when I get my own turn.

**Mr John O'Toole (Durham):** I'd like to respond to the comments made by the member for Elgin-Middlesex-London. With all respect, he gave a fairly balanced account of the opposition's position on this and his individual commitment.

My riding, of course, is Durham. It's literally filled with streams and creeks, the greatest salmon fishing in Bowmanville Creek. In Lake Ontario, the southernmost extreme limit of my riding, sports fishing is extremely important. It also includes part of the Oak Ridges moraine, which has a great abundance of wildlife. I might say there's a large disposition of hunters. Mr Ouellette, the Minister of Natural Resources, I believe shares part of my riding boundary, and I know his personal commitment to the outdoors, the quality of life that he spoke to and the quality of family life that he spoke to in the tradition.

I would say that my fondest memory would be when I was growing up on the farm just outside Peterborough—being an older person, almost 59, I think probably I was in the order of under 15 certainly, so it was some years ago. I would be sitting with my father with the trusty old .22 that used to hang over the doorway on the farm, sort of sitting on the rail fence and poking back a few ground-hogs that were causing a disturbance either in the fields or in the pasturelands around. That may not be permitted today, but certainly we'd sit there on an afternoon, perhaps in the spring or fall, and I got to know my father. I think it's that relationship part—whether or not the gun

was ever discharged was not the issue. It was the issue of forming bonds and the relationship that's been spoken to.

But he did mention in the last minute here that the "protect the ridges group" in my riding has done a tremendous amount of work with respect—

**The Acting Speaker:** Thank you. Questions or comments?

1940

**Mr Lalonde:** I want to congratulate the member for Elgin-Middlesex-London for the knowledge of this issue that he has shown. I really feel and I strongly believe that establishing a commission is very important at this point in time. More and more we see that the fish habitats are disappearing, are going. I'm not really a hunter myself, but I know what the fishing is, especially in my area, since the Ottawa River is known for the quality of fish that we have there.

But let me tell you that going back a few years ago we established a committee in the Ottawa area called the Ottawa River Committee, formed by myself as president and the minister, Brian Coburn, as vice-president. We noticed at that time how important it was to protect the fish habitat and also to protect the heritage that we have in place at the present time. We know that at one time it used to be big, big business in the Ottawa River. People were coming down from all over, installing nets, catching a lot of fish and going to the market in Montreal. Also, in our area it's now rare that we get to catch a fish like a 45-pound sturgeon, for example, or an 18-pound pickerel. And the eels in the Ottawa River—we used to have tonnes of them and they were shipped over to Asian countries. But today, without having control of sport fishing, it seems that this type of fish is gone. That is why we have a commission with a person appointed who has full knowledge of what fish habitats are.

**Ms Shelley Martel (Nickel Belt):** I wanted to say that I appreciated the comments that were made by the member from Elgin-Middlesex-London because I think they added to this debate. What I found most particularly interesting and useful was his comment, which was repeated more than once, that this bill should go to committee so we can use the committee process to do more for anglers and hunters. That, of course, is the position that was taken by the New Democratic Party late last fall when we were dealing with this government on this bill, and since.

What I find interesting about this position is that it appears that perhaps this member, or maybe his party, is now thinking about coming around to our point of view. I remind the member that it was his party on the last night we sat, December 13, that looked for unanimous consent to pass the bill without debate, without any kind of public hearings—on second and third reading at 10 o'clock on the night of December 13. That was it and that was all. It was New Democrats who said no, because we believe there are important things to be said and issues that have to be raised, and the public should have a chance to come and have their say at public hearings.

What's even more interesting is that the same position articulated by the Liberals on the night of December 13 was just articulated by his colleague from Sudbury two nights ago, on May 27. Mr Bartolucci got up and said, "It's the position of the Liberals that this bill should already be law. It was our position on December 12, when we asked for unanimous consent ... to have passage of this bill. Listen, this bill should be law already." So which is it? Do you want public hearings so we can actually do something important for anglers and hunters or not?

**The Acting Speaker:** Response?

**Mr Peters:** I appreciate the comments made by the members from Beaches-East York, Durham, Glengarry-Prescott-Russell and Nickel Belt. First off, I wasn't reading from a prepared script, the speaking papers that I know a lot of the government members have. They come in here and read those speeches that have been written for them by somebody in the minister's office. I didn't come in here with that. I have my little notes that I made in researching the bill.

I think one of the things we do need to respect is that, as individuals—one of the things we don't hear often enough around here is that each of us should have the opportunity to express ourselves and not tout the party line. If once in a while you or I say something that may be a little different than what some of my colleagues have said, so be it.

**Mr O'Toole:** This isn't private members' business.

**Mr Peters:** I know it's not private members' business. But what we need to have more of around this place—and if this government had the guts to do it we would see that opportunity—is that more of us could express ourselves on what we want to see. That's what Dalton McGuinty has put forward with a charter of rights that would change the way we do business around here. I know Mr Wood has talked about it. We do need to change the way we do business around here.

With that, I want to thank everybody for participating in the debate this evening. This legislation needs to go forward so we enshrine that right to hunt and fish in this province.

**The Acting Speaker:** Further debate?

**Mr O'Toole:** I'm waiting for some instructions from headquarters here.

Bill 135 is a bill that I've briefly spoken on and am somewhat familiar with. There's been some talk about having public hearings and there's been talk—pardon me. I'm going to share my time with the former Minister of Natural Resources, now the Minister of Municipal Affairs and Housing, the Honourable Chris Hodgson.

**Interjection:** How about Hodgson now?

**Mr O'Toole:** Hodgson is up now and that's the way I'd like to leave it, because I know he's passionate about speaking on this.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I thank my colleague from Durham for sharing his time so graciously; he's left me the vast majority of his time.



I'm pleased to rise in the House today to support the passage of Bill 135. As I think the member for Durham mentioned, I had the privilege and honour of being Minister of Natural Resources from 1995 to 1997. I've also been a hunter and a fisherperson all my life and I can definitely say that this type of legislation is truly necessary to ensure that future generations also have an opportunity to enjoy one of the great traditions in our province, hunting and fishing.

One of the first ways our government demonstrated our support for hunting and fishing was the establishment of a special purpose account. I was pleased to be the minister when Premier Harris fulfilled a commitment to dedicate the fishing licence and hunting licence revenue to a special purpose account. A few members in this House will recall that previous governments said this was impossible to do, could not be done. Well, our party made a promise and we kept it.

An important element of the new special purpose account was the creation of a Fish and Wildlife Advisory Board. This Fish and Wildlife Advisory Board has been essential to providing solid advice to the Minister of Natural Resources on how best to use the dollars in the special purpose account. We owe a great deal of gratitude to those individuals who helped guide the province in these important decisions. They've volunteered their time and they've done a great service to the people of Ontario.

Whether it's rehabilitating wetlands or building fish ladders or cleaning garbage from the sides of our lakes and rivers, anglers and hunters show that they are conservationists first. They understand the importance of a sustainable resource, and without it we wouldn't need Bill 135. So to build on the great work of the Fish and Wildlife Advisory Board, Bill 135 would establish a Fish and Wildlife Heritage Commission. The commission would provide advice to the minister on a wide variety of fish and wildlife initiatives. It would function as an advocate for recreational hunting and fishing by fostering outreach programs for youth, tourism opportunities and greater participation in fish and wildlife conservation programs.

Hunting and fishing isn't just great fun, it's an important business for Ontario and by passing this act we would show our support for those important initiatives. Resource-based tourism is crucial to our economy and we need to do everything we can to grow that business.

This proposed legislation will keep an important promise made to anglers and hunters across Ontario. I'd like to thank a great number of people in this province who have been consulted and have contributed and given advice to help us get to the point we're at today. I congratulate Minister Ouellette for bringing it forward for second reading. I also congratulate the former minister, Mr Snobelen, for the groundwork and the consultation in getting it into this House.

The Ministry of Natural Resources is very important to the people of my riding. Hunting and fishing has been a part of our way of life for generations. I look at this bill that enshrines the right to hunt and fish for today's

generation and for future generations as sort of like minority protection, a bill of rights for a way of life that the vast majority may not participate in, but I can assure you that those who do are conservationists first.

#### 1950

I'd just like to comment on a few of the things I've heard here tonight about the deterioration of our natural resources. While that may be true in some instances, there are also a lot of success stories that we should remember. When I was younger, growing up around the lakes in Haliburton, there were some lakes that had very few fish. Haliburton Lake today has more fish in it than it had at any time in my life. You now have in the leader of the third party's riding, a former Minister of Natural Resources, pelicans on Lake of the Woods. That was unheard of a generation ago. They've come back because of the quality of the water, and the environment has improved.

We sprayed DDT in the 1950s. We've made some huge improvements. The Grand River rehabilitation project now has brown trout once again. In my riding in Beaverton, where there was an old mill that had stopped the fish from coming up the river and spawning, we now have fish ladders and stream rehabilitation brought about by the outdoor community in that area and we now have brown trout.

In Haliburton, where we had the mill, because of the high school, the local outdoors association and the local businesses all coming together, we've got a rehabilitation project that has brought in spawning beds for pickerel. We also have something that's very beautiful for our community that helps in the promotion of tourism. It's a legacy that we enjoy today but that future generations will really appreciate. The whole town got involved in it.

In the Great Lakes we've reintroduced the stocking of salmon. It's a great tourism event and good for business, but it's also a sign that we can do some things right as a society as we put our act and our minds together and work co-operatively.

When I was minister, we brought in a new Fish and Wildlife Conservation Act, 1997. Minister Snobelen had the honour of signing it into proclamation. Before we got to that point, that act hadn't been changed in almost 40 years. We brought together 20 groups that represented environmentalists, the hunting and angling community, commercial fishermen, and I said, "Where we have a consensus to go forward and modernize the act, we will." They all signed on to the wording of the act and the regs, we brought it forward to this House and this House passed the bill. That's a modern act that will stand us in good stead.

I could go on and talk about the improvements I see in our Great Lakes and some of the rehabilitation projects that have been brought about by the outdoors community with their licence revenue. Through community enhancement projects we're restoring wetlands and preserving spawning beds.

There have been huge improvements in the way we manage wildlife. As Ron Vancort, a former deputy of

MNR, told me when I first got the job, "Really, we're managing people. The wildlife will look after itself if we manage people and make it in their interest to recognize the importance of sustaining our environment."

Conservative governments historically have done that with the creation of the Niagara Escarpment Commission, and the huge expansion to parks under the Living Legacy program, which started out as Lands for Life. These are monumental achievements that this government and past Conservative governments have been able to achieve.

The Oak Ridges moraine will stand the test of time. In that legislation is the protection of cold-water streams on the moraine and leading off the moraine up to Lake Simcoe. It's a lake that is very important to my riding. It's a lake that we want to make sure maintains itself as a cold-water lake and fishery. It will need some added attention to make sure the phosphate loading and the development pressures don't ruin that ecosystem.

There are challenges. There's more we can do, but I want to say that this bill will go a long way to help sustain our culture, our traditions, the businesses that thrive on the outdoor community's purchases, and it's also good for the environment.

I also want to point out that some people have talked about the need for more consultation and public hearings. There has been a lot of consultation on this bill. There have been hundreds of submissions on the Environmental Bill of Rights registry. There have been tours by the minister, but if the House leaders in their weekly meetings decide that they want hearings, I will leave that to the experts. I notice that two House leaders are in attendance today and they will bring it up with our House leader as well.

There have been some suggestions that we need to have a definition of conservation. I know that with a little bit of work—this is my own personal opinion—I'm sure we could get a consensus on what a proper definition of conservation should be. When I was Minister of Natural Resources, we developed a definition of conservation that people from various backgrounds—environmental groups and outdoor associations—agreed with. There are also definitions that the FON and others would agree with, which I'm sure we could include in a bill if that was the will of this House. I don't see that as contentious.

We've got issues around First Nations, and that's not contentious. The law is quite clear. The Constitution is quite clear. There are myriad protections for First Nations' rights when it comes to hunting and fishing. In my own personal opinion, if we want to reiterate some of that, I don't see a problem. That's the law of the land. That's in our Constitution. There's no way that this bill was ever intended or will ever be used to denigrate or have any impact whatsoever on First Nations' rights. I think you would have a consensus on that from all interested parties.

It has been my privilege to serve in a government that recognizes the importance of the conservation of the tradition of hunting and fishing. I hope, as I fish with my

daughters on Haliburton Lake this summer, that I will be able to rest assured that this House, in its wisdom, has seen the light and passed this bill before summer so we can enshrine that.

*Interjection.*

**Hon Mr Hodgson:** I hear the NDP member talking about slot sizes. I can tell you there has been a lot of controversy about slot sizes. One thing it does is that it gets people's attention and they start to appreciate their resource. Secondly, the NDP did it in a lot of areas. I'm sure your leader could explain to you that those decisions are not taken lightly; they're very difficult decisions to make.

But I can tell you one thing: when you have the people in the Ministry of Natural Resources that I had when I was there, people like Gord Pizer from the Lake of the Woods area, who brought about fish hatcheries and gave ownership of the resource to the local people—and I was able to learn from people like that and set up a fish hatchery in Haliburton—then someday we won't need slot limits. But until that day comes, we have to have rules in place to make sure the fish are sustainable.

I'm sure the minister of the day, when he made decisions around slot sizes, didn't do it lightly, and I'm sure you would appreciate that the ministers in our government never make those decisions lightly either. But sometimes we have to do things in the long-term interest of the wildlife and the fish in this province.

In conclusion, I'd just like to say that some great things have occurred in the last number of years, both in legislation and in our local environments across Ontario. I know this bill will stand the test of time and preserve those important traditions in our society.

**The Acting Speaker:** Questions and comments?

**Mr Rick Bartolucci (Sudbury):** I again stand in my place and suggest that the Liberal caucus is very much in support of Bill 135, the Heritage Hunting and Fishing Act. I would suggest that it should be law by now. There's absolutely no question.

I come from a community that probably has more freshwater lakes than any other city in Ontario. Within our boundaries, we have more than 200 freshwater lakes, and we fish from many of those. Within a three-minute walk from my home, I can be fishing for pickerel. Not many people in this House can say that. I would suggest that we're very, very fortunate in the north—and across Ontario, but certainly in the north—to have the ability to hunt and fish.

I remember growing up as a young boy and turning into a young man who went hunting with his father almost every weekend. Those were perfect opportunities for father and son to bond, to get together and talk about the important things in life. Hunting and fishing is important to many people in Ontario. The Heritage Hunting and Fishing Act, I think, does not violate any law or take anyone's rights.

So we are very much in favour of this bill. We believe it provides something. There's more rhetoric to this bill than anything else, but you know what? It is important to



a lot of people. I happen to be one of those who feels this to be very, very important. This bill has certainly enshrined the rights of all peoples. Many of the concerns out there certainly wouldn't stand the test of time or law.

Again, I say that the Liberal caucus is in support of this bill. We believe everyone's rights are protected within this legislation. I'm certainly happy to report that any angler or hunter I've talked to since Christmas can't understand why all three parties haven't supported this.

2000

**Mr Kormos:** I am so pleased how the progress around second reading of this bill has resulted in cabinet ministers—the Minister of Housing—wanting to participate in the debate, as well as parliamentary assistants and government backbenchers. You see, had they really not believed debate was critical, they merely could have sat in their places.

*Interjection.*

**Mr Kormos:** Well, it's true. You've done it on other occasions and with respect to other matters, such as the MPP salary increase. The Conservatives and the Liberals didn't want to debate it. The New Democrats had to carry the debate by ourselves. We were the only people who voted against it.

But with Bill 135 this evening we hear from Liberal member Mr Peters, from Elgin-Middlesex-London. Mr Peters made a valuable contribution to this debate. This is why we need debate around these bills, because Liberal member Mr Peters agrees with New Democrats that there should be some committee hearings, that people deserve to be heard, that people have a right to have input. We've made a specific request on behalf of First Nations people. I tell you, Minister of Housing, they don't think they were consulted, at least not meaningfully, in the first round.

But that's OK. This can wrap up relatively soon in terms of second reading debate. We need a commitment for some committee hearings—as a matter of fact, I'll tell you what, some committee of the whole. We'd even agree to a three- or four-hour time limit on it.

**Hon Helen Johns (Minister of Agriculture and Food):** Oh, yeah.

**Mr Kormos:** Well, we'd put it on the record. We need some committee of the whole to get some questions and answers, because you, sir, Minister of Housing, suggest that this bill constitutes protection of a minority, like a bill of rights. That's frightening language to the First Nations people. That's exactly what they're concerned about. You either mean it or you don't. Let's find out. Let's have some committee hearings. This bill could then progress as it should.

**Hon Mrs Johns:** I just wanted to add my comments to the member for Haliburton-Victoria-Brock's comments. I know the minister well and I know he spends a lot of time in his riding enjoying the things he talked about today. I know he's an avid hunterman and fisherman. The thing I think I have recognized most about him over the six years we've sat in the Legislature together is that he does a lot of these things with his children in an effort to

be close to his kids and be involved in their lives. I think that shone through today.

When people listen to him and hear him speak about the ability to enjoy a rural way of life, it makes we from rural Ontario proud that we enjoy that also. But today he also spent a lot of time talking about how we can make the system better. Everyone needs to recognize, as he does, that we can go forward, we can work to do better conservation, we can work to make our environment stronger, and at the same time find room to allow hunters and fisher people, as he called them—I would call them huntermen and fishermen; it's not politically correct, so I will correct that—to be involved in the activities that really help us have a quality of life in rural Ontario. I give him my congratulations, and as usual, I am always in awe of his ability to enjoy a rural life.

**Mr Dwight Duncan (Windsor-St Clair):** I listened to my colleague the minister, and I know of his own personal background as a hunter and fisherman. I'm not personally a hunter. I have fished a bit in my life. My riding is bounded by the Detroit River and Lake St Clair, which are two of the greatest freshwater fisheries in the province.

We in the Liberal caucus support this bill. Perhaps the NDP House leader would like to talk at the House leaders' meeting about whether or not we have some hearings. We don't see it as a huge deal, but certainly we'd welcome it if there can be agreement on that. So the public knows, these things are often tied up in other issues as well. I don't recollect, at any House leaders' meeting, having discussed this possibility before, just a blatant attempt to block the bill before Christmas.

I think it's important that we recognize the rights of hunters and fishers. The law is limited. The law really, in our view, makes a statement more than anything else. I would say to the minister and I would say to the government that if we truly want to respect the rights of hunters and fishers, we'd do more on the environment to protect our water, to protect our air, to protect our land. I challenge the government that these kinds of statements, while important in recognizing hunting and fishing as part of our heritage and part of our culture, part of the culture of many peoples who have come here—in my community there's a very large Italian community, and hunting is a very integral part of that community so we hear often from them about the importance of hunting to them.

So I would say to the government that we're pleased to support this bill. Certainly we can talk about hearings at a House leaders' meeting. I don't think anybody would preclude that as a possibility. The minister certainly expressed an openness, and we appreciate that.

**The Acting Speaker:** Response?

**Hon Mr Hodgson:** I'll start by thanking my colleague from Sudbury. Coming from Sudbury, he appreciates the progress we can make when a community pulls together. The greening of Sudbury is truly phenomenal.

I'd like to thank my colleague the member from Huron-Bruce. She works hard on behalf of rural Ontario

day in and day out, and I hope her constituents know that. Sometimes we have to spend a lot of time at Queen's Park and in Toronto, especially being in cabinet, but they should know and appreciate the fact that your heart never leaves where you call home. For a lot of us that is rural Ontario, and this is a very important bill for rural Ontario.

To my friend the House leader for the Liberal Party, from Windsor-St Clair, I'm appreciative of the fact that he supports this bill. I know he will do his best, in Thursday morning meetings with House leaders, to make sure this bill is passed in an expeditious manner.

My colleague from the NDP, from Niagara Centre, is pretty smooth. You know, you've got Thursday mornings to negotiate with the House leader. For those watching on television, this place works on consensus. Sometimes it takes a few parties to be reasonable, so I'm very pleased to see that he's reasonable. He wants to talk to the House leader about how he can have short committee hearings to make sure we get input. But I'm sure he's willing to trade and offer up some concessions. Last night I listened to the NDP party call for 30-minute votes all night, obstructing this important piece of legislation once again, like they did before Christmas. Quite frankly, a lot of your colleagues represent ridings where this bill is very important. I beg you to listen to your constituents and represent their wishes as you come forward into this Legislature and to help and assist in passing this important piece of legislation.

**The Acting Speaker:** Further debate? I would just remind members that we are now into 10-minute speeches.

**Mr Michael Bryant (St Paul's):** I proudly stand here as a member of a very urban riding, St Paul's, to commit the Ontario Liberals to angling and hunting in the province of Ontario. I stand here with a thumb that was recently bitten by a muskie in the Kawartha lakes. If it weren't for the Ontario Liberal commitment to angling and hunting in Ontario—

**Mr Kormos:** It was a rat from the Bridle Path.  
2010

**Mr Bryant:** It was not a rat from the Bridle Path. I want to assure the government that it was a fish. It was confirmed by the member for Stormont-Dundas-Charlottenburgh, Mr Cleary, that it was a fish.

I also stand here as the Attorney General critic who looked across at the public safety minister last week when he proved to this province, to this country, that when it comes to hunting down terrorists this government is engaging in a catch-and-release program. This government thinks terrorists are trout. In fact, we need not to be engaging in a catch-and-release program when it comes to fighting terrorism in Ontario; it means catching them and keeping them in Ontario. This is a public safety minister who mistakes the Ontario Legislative Assembly for a sleeper cell.

**Hon Mr Hodgson:** You're talking about hunting terrorists, not hunting wildlife.

**Mr Bryant:** I'm getting there. I'm making an analogy.

Really, what troubles me is that we do not right now have the opportunity to speak to the most important piece of business before the Legislature at this time—surely the third party would agree with me on this—which is the blank cheque bill that was introduced in this Legislature this afternoon. The blank cheque bill, unlike this bill, is a blank cheque for privatization. This blank cheque for privatization is one that the official opposition will, using every resource we have, cancel. The opposition will dismiss the bill.

**Ms Martel:** Come on. What did Dalton say in December?

**Mr Bryant:** Dalton McGuinty and the Ontario Liberals have said from day one—

*Interjections.*

**The Acting Speaker:** Order, please. The member for St Paul's has the floor. I would like to be able to hear what he is saying.

**Mr Bryant:** The member for St Paul's is speaking to a heritage hunting bill, so this should be interesting, OK? I'm surprised I'm being heckled by the third party.

**Mr Kormos:** We're not heckling.

**Mr Bryant:** Yes, you're helping.

In any event, with respect to Bill 135, of course we support this bill. It recognizes the important cultural, social and economic benefits of recreational hunting and fishing in this province and the contributions made by hunters and anglers, not just those who have had their thumbs bitten by the muskies of the Kawarthas but for those who have committed their lives and passed down from generation to generation this heritage whereby we are committed to—I mean, this surely must be the most glorious, beautiful province in the country. I don't think anyone is going to disagree with me on that front. Hear, hear. One manner in which the people of this province celebrate this extraordinary beauty is in the great outdoors, and how do they do it? Among other things, they do it through the heritage, passed down from generation to generation, of angling and hunting.

I'm proud to stand here. I think it's fair to say I've been an advocate of gun control in this province, speaking on issues of phony guns, speaking on issues ensuring safety in the province of Ontario. But that, to me, has always been a very separate issue from that of angling and hunting. Angling and hunting means responsible outdoors persons in Ontario engaging in activities that have been passed down through the generations. We are reaffirming this through this bill. The Ontario Liberals have reaffirmed this in our support for this bill. Notwithstanding all the efforts to distract the member from St Paul's, I stand before you as an angling and hunting missionary—

*Applause.*

**Mr Bryant:** Thank you, thank you—ensuring that we continue to reinforce and recommit ourselves to this issue that is so important to so many Ontarians. Surely that's the purpose of the heritage hunting act.

We also support the bill because it doesn't override existing provincial hunting and fishing laws or regulations, as the Minister of Natural Resources has acknow-



ledged. He said the government of the day will always have both the authority and the responsibility to regulate hunting and fishing, which means there is an affirmation here that the government will continue to remain accountable on this issue, when they have sought to cede accountability when it comes to the future of energy in Ontario. This government is an absentee shareholder when it comes to Hydro One, a government that has somehow, unlike under this bill, relegated its responsibilities, refused to be there at the table when the important decisions were made and, as a result, we have the extraordinary compensation package that is currently being pursued through a power play whereby the Hydro One board has boxed in the government of Ontario and, in turn, the government has suggested it's going to face down the board with threats of legislation. I say, "Pearson airport redux."

I say, no matter what the government does, unless they pursue the status quo and keep Hydro One public, as they should, it's going to be a situation where yet again the government finds itself in the courts, dealing with their multi-billion dollar botch-up that is their electricity reform project.

Let's not forget where this all started, in December with the government trying to sell Hydro One without a mandate; then the government being caught out, this being an illegal sale of one of the province's most valuable assets. Then, when the law of Ontario said they couldn't do it, for some reason they decided both to appeal before the Court of Appeal, on the one hand, and pass legislation here on the other hand.

I asked the Premier about this today. Why is the government always faced with issues that are before the courts, saying quite simply, "We can't deal with that matter because it's before the courts"? There is a minister in this House, Minister Hodgson, who I think has said, "The matter is before the courts and therefore I cannot answer that question," maybe one thousand times.

**Mr Joseph Spina (Brampton Centre):** On a point of order, Mr Speaker: I would ask that the member speak to the bill that is currently in debate.

**Mr Kormos:** Joe, he can't.

**Mr Spina:** He seems to be really drifting. I would ask you to judge that, Speaker.

**The Acting Speaker:** I am certain that the member for St Paul's will relate all that to Bill 135.

**Mr Bryant:** I'm making an analogy between the mega-billion-watt rip-off of Ontarians on the one hand, and the 1.8 million Ontarians who take part in hunting and angling each year. If that isn't self-evident to the member, then I suggest he listen a little more closely.

**Mr Kormos:** To Joe?

**Mr Bryant:** That's true. Given the member in question, fair enough.

Recreational hunting and fishing contributes more than \$3.5 billion to the provincial economy. On the other hand, Hydro One, this—

**Hon Mr Hodgson:** Are you in favour of this bill?

**Mr Bryant:** Of course I'm in favour of this bill. I support this bill. I said this at the very beginning. Hydro One, on the other hand, is a natural money-maker, in fact generating enormous profits for the province of Ontario—maybe not \$3.5 billion to the provincial economy each year like hunting and angling. But again, because I'm faced with 25 seconds and a limited mandate to speak to this particular issue, thanks to the member, I'm going to have to close by saying this: Ontario Liberals are committed to this bill. The principles in this bill are principles that are self-evidently supportable and celebrated by this caucus. Dalton McGuinty and the Ontario Liberals look forward to further debate, further celebration and commitment to hunting and angling in the province of Ontario.

**The Acting Speaker:** Questions and comments?

**Mr Kormos:** Wow, Speaker. December 12, 2001, after the announcement of the Hydro One IPO, the initial public offering, quote, "Liberal leader Dalton McGuinty said privatizing Hydro One was the right move, but should have been done following an open debate in the Legislature," maybe so that Dalton McGuinty and the Liberals could have voted for it, like they did on June 28, 1998, voting in favour of this government's Electricity Competition Act on second reading.

So I say to my colleague from St Paul's, don't go, colleague from St Paul's. Stay.

**Mr Bryant:** I'm here.

**Mr Kormos:** You and Joe Spina can spend some private time; perhaps you'll do some Wettlauferian male bonding. But during the course of that you might want to reflect on where your Liberal Party has been on the issue of privatization.

**Mr Bryant:** I'm reflecting.

2020

**Mr Kormos:** Just as now they appear to be coming from all over the place on this bill, one of your colleagues, your whip, wanted this bill to pass second and third readings with no debate. He doesn't believe, you see, in the parliamentary process. I know you do, which is why you debated this bill tonight.

You wanted to spend your 20 minutes debating Bill 135. As a Liberal, you felt it was your obligation. Be damned if you were going to let this slide through without debate. Be damned if you, as a Liberal, were going to let Bill 135 pass without your participation, even if it would delay the passage of it. By God, this bill could have passed in December had New Democrats not said no. Michael Bryant of St Paul's has a right to engage in the debate; the Minister of Housing has a right to engage in the debate; Dwight Duncan has a right to engage in the debate; Rick Bartolucci has a right—and they have. Steve Peters has a right to engage in the debate, and he did. And it was New Democrats who made it possible. It's a great country, isn't it?

**Mr Duncan:** I'm pleased to respond to my colleague from St Paul's. Like him, I represent a largely urban riding and like him, I support this bill. Like him, I recognize the straightforwardness of the bill. The ability

to pass this bill sooner certainly could have happened had we had that agreement from the NDP.

When one talks of flip-flops, when one talks about history around this place, I think the New Democrats ought to reflect on their own history, on the social contract. The party of organized labour that would never strip a collective agreement, the party that campaigned for public automobile insurance, what did they do when they got elected? They didn't do it. The party that campaigned against Sunday shopping, what did they do when they got elected? They opened the doors wide open. What party introduced private electricity generation in Ontario? It was the New Democrats in the Rae government: TransAlta in my community of Windsor, which is providing a good service.

What they're good at is twisting other people's words. What they're good at is breaking their own word. So we need no lecture from them in the rump over there about what we say or what we do versus what they say or do.

The NDP House leader spoke eloquently about the pay raise MPPs voted themselves. They voted against it. But what did they do? They took it. My goodness. Hypocrisy stands no taller than in the NDP caucus collectively.

**The Acting Speaker:** I would like you to withdraw the word "hypocrisy."

**Mr Duncan:** I retract that.

Conflict of opinion, voting one way, doing another thing, stands no taller than it does in the NDP caucus. We need no lecture from that failed lot, that rump left over from the Rae days that drove this House into the ground, this province into the ground. We support this particular bill and the rights of hunters and fishers in Ontario.

**Mr Prue:** I will try to confine my comments to the actual bill and the few small statements that my friend had to say about hunting. He did make a couple of very minute statements in his very eloquent 10-minute speech, the first that his thumb was bit by a muskie. I demand proof. I have been a fisherman all my life and I demand proof, other than that you put your thumb right in its mouth.

He did go on to talk about the importance of the economy and I think we all need to bear this very much in mind. The member for St Paul's talked about a \$3.5-billion industry, and in fact it is. Many people's livelihoods depend on this. I think therefore what the bill is attempting to do is a good thing. What the bill has not done, though, is involve all of the people who need to say something about this. The member did touch very briefly on that. All of the people who are going to be involved in this need to be heard. The native people of Ontario need to be heard. They have been shut out of the process. The environmentalists who have much to say about the degradation need to be heard.

**Mr Kormos:** He is defending the Tories.

**Mr Prue:** I'm trying my best not to listen to them.

**Mr Kormos:** Why is Dwight Duncan defending the Tories?

**Mr Prue:** I don't know. I think that perhaps he wishes he was one.

In any event, those are the people who need to be heard, our native Canadians, those who are worried and can contribute to solving the problems of environmental degradation, as well as those who have expertise on fish habitats who are going to be invited. That is all we are asking the government. That is all, in my comment to the member for St Paul's, that needs to be done to make this bill good for everyone in Ontario.

**Mr Bisson:** I really want to know how the member got that thumb into the muskie's mouth. I want the member for St Paul's to either table his thumb in the Legislature, as he suggested, or give us some sort of graphical description.

**Mr Kormos:** It was his thumb, but it wasn't a muskie.

**Mr Bisson:** My friend says it was his thumb but it was no muskie.

Anyway, to the member for St Paul's, I do appreciate your taking the time to debate this bill. That is why we as New Democrats said, "Listen, we're not going to agree"—your House leader, Mr Duncan, and Mr Bartolucci from Sudbury wanted to pass this thing with no debate. They were prepared last December to give this bill second and third reading, with no debate and no time whatsoever in committee. They didn't want to have hearings. They didn't want to have anything. They thought the bill was perfect and didn't have to be changed. I'm glad that the Liberal caucus is finally starting to change its mind somewhat. I detect a bit of a shift here. I listened intently to the Liberal House leader and to the member for St Paul's and others, and all of a sudden they're saying it's a good thing that we're having some time to debate this and that the bill should go to committee.

I say to the Liberals, about time. It's about time you followed our lead, because you were going in the wrong direction. We thought you guys had somehow once again snuck in with the Tories.

I would only say one other thing, and that is to the bill itself. Let's be quite clear here. This bill is purported to give anglers and hunters all kinds of rights. It is clear by all definitions of this bill that it does nothing of the sort. The bill basically says people have the right to hunt and fish, provided they follow the law. Last time I checked, that's what we have now. On the other hand, it says it's going to create a commission, where there was a committee to advise the minister.

So this bill doesn't give anything. All it is is an attempt on the part of the Tories to say, "We have whacked anglers and hunters for the last six years." Here's a big group hug by the Tory and Liberal caucuses to say "We love you"—because the Liberals agree. This bill doesn't do what it purports to do in the title of the bill.

**Mr Bryant:** I really want to confine my comments to the member from Niagara Centre, because I don't think I can say anything more than the official opposition House leader has said with respect to the other comments.

What I would suggest to people who may be tuning in or reading the Hansard is that if they want to know what the facts and the truth are on this particular bill, they



should cut and paste what we've just heard, in terms of the responses from the third party, and just delete it. Instead, let's focus on the reality.

Ontario Liberals support Bill 135. But with respect to the blank cheque bill introduced by this government, it is the most putrid perversion of parliamentary process possibly known in the province of Ontario. This is a blank cheque that Ontario Liberals are going to seek to cancel.

The member for Niagara Centre spoke about Dalton McGuinty and the Ontario Liberals' position in opposing the privatization of Hydro One. Let's be clear. The electricity transmission highway should remain public. That has been the position of the Ontario Liberals from day one. As with everything to do with electricity over the last few years, the debate has been about generation. To start talking about transmission in the midst of the generation debate, I have said before, would be like talking about hospital reform and deciding to privatize ambulances. One has got nothing to do with the other. So I say to all members of this Legislature—

**Mr Kormos:** Are you going to privatize generation?

**Mr Bryant:** My thoughts on the subject of electricity generation were provided in an all-too-short speech of yesterday. Dalton McGuinty and the Ontario Liberals will do everything in their power to fight the privatization of Hydro One.

2030

**The Acting Speaker:** Further debate?

**Mr Howard Hampton (Kenora-Rainy River):** I want to spend 10 minutes talking about what I think are some fairly serious issues with this bill.

It is a puzzling bill, because the government, in its news releases and propaganda, generally wants people to believe that a new right is being created here. Yet at the same time, in December, the Conservatives and the Liberals wanted this bill passed with absolutely no examination, no analysis, no discussion, no debate.

It seems to me that as a general principle, legislators should rarely, if ever, pass legislation without some examination, analysis or debate. You want to make sure that what you're passing will in fact make good law. But it is especially true, especially the case, that where the government purports or pretends to create new rights, you should examine them. You should want to know what the extent of the right is, who will have this right, what the content of the right is and what the limit of this right is. Yet it was the position of the Conservatives and Liberals that this legislation should be passed with no discussion, no analysis—completely absurd.

They also said that if you didn't pass this legislation with no analysis, no discussion, no debate, somehow you were opposed to fishing and hunting. That's equally absurd, completely absurd.

What is even more puzzling about this legislation is that if you read section 1, it says, "A person has a right to hunt and fish in accordance with the law." Well, if I'm not mistaken, the state of the law now is that as long as I obey the law and I have a fishing licence, I'm entitled to fish. So I have a hard time figuring out how this language

does something more or new. Remarkably, in all the discussion by the government, they haven't pointed out how that would be.

If I can give an analogy, as it stands now, as a citizen of Ontario I have the right to cross the street, provided I obey the Highway Traffic Act and I don't cause any traffic safety problems. So what difference would it make if someone brought forward a law called the Right to Cross the Street Act and said, "You have a right to cross the street, provided you obey the law"? I don't think it would make any difference at all, which leads us to believe that really there is no right here, no new right being created, no right being affirmed. This is just the government trying to spin some propaganda, trying to say to some anglers and hunters that the government wants them to believe they have a new right or the government wants them to believe that somehow there is a special right being created. But I don't think the language says that at all.

But let's just assume for a minute that the government is serious, that in fact they intend this legislation to create a new right, a right to hunt, a right to fish. It would seem to me that if that were the case, then the government would want to do things properly so that that right in fact does have some substance, so that right can be constitutionally defended, so that right would not conflict with perhaps other rights such that it might be rendered unconstitutional. Let me describe what I mean.

As a result of the Sparrow decision by the Supreme Court of Canada, we now know that aboriginal people have a constitutionally established right to hunt, fish and trap for food. So one would think that if the government wants to create this new right for anglers and hunters, it would want to ensure that this new right does not conflict with that constitutionally established right of aboriginal people to hunt, fish and trap for food. Otherwise, if there is a conflict, one of these rights could be rendered unconstitutional.

The Sparrow decision of the Supreme Court of Canada also says that in terms of the so-called priority of rights with respect to hunting, fishing and these finite resources, the first priority is conservation, then comes the aboriginal right to hunt, fish and trap, and then come the rights or the privileges of others. It says very clearly that if there's a conflict with that right, then the conflict has to be rendered unconstitutional.

So you would expect that if this is a new right being created, if this right really means something, the government would have followed some of the language in the Sparrow and Delgamuukw decisions, which state the kind of process a government would have to go through. One of the things they state is that there should be consultations with First Nations. Before you attempt to restrict or in some way conflict with that constitutionally established right of First Nations, you need to hold consultations with First Nations so you can in effect establish some constitutionality or some legality to the new right you want to set up.

But I talked with a number of First Nations. I asked, "Has the government come to you and sat down to consult with you about this so-called new right?" "No." I inquired of some friends of mine involved with the Metis hunting and fishing rights, "Has the government come and talked to you about a possible conflict of rights?" "No." I talked to some environmental groups and asked them, "Has the government talked to you about this so-called right, what the extent of it would be and how it would interlock with issues of conservation?" "No."

This is a rather incredible situation. On the one hand, the government says they're establishing a right to hunt and fish, yet on the other hand, all those discussions, consultations and processes the Supreme Court of Canada said you must engage in to facilitate this right the government hasn't done. It hasn't done any of it, which leads me to believe that you have a right, so-called, in name only, but a right that could immediately be attacked constitutionally and in effect rendered useless.

So what is to be done? If the government is serious about this, if this isn't just a propaganda job, if this isn't the government just trying to spin anglers and hunters and say to them, "You've got a new right," but in fact they have nothing at all, then we need to have some committee hearings. We need to have, for example, the minister come before the committee and say what the right is. Is it constitutionally protected or not? Who will have this right? How will this right be regulated? How will it be balanced with other rights? And what will be the consultation process with aboriginal people? That's the very least I think we have to have in terms of hearings so we can know what this new right is and if it really does exist and if it has any constitutional protection.

Part of what the government might want to consider at the committee stage would be an amendment, a non-derogation clause, which says something like, "This bill does not in any way derogate from, affect or otherwise conflict with an aboriginal right to hunt, trap and fish for food." If it doesn't put in that derogation clause, then I would suggest that there is a conflict and this so-called right that the government seeks to create could immediately be declared unconstitutional.

So I say to the government, if this isn't just a propaganda exercise, if this is really about creating a right, then I think you ought to engage in a process, you have to engage in a process, otherwise this will not stand up in court for one month, in which case there are going to be a whole of disappointed people around. So I say we need some—

**The Acting Speaker:** Thank you. Questions and comments?

2040

**Mr Bryant:** I listened closely to the leader of the third party's speech. He raises some very important issues. However, I'm a little concerned that in fact we are not focusing on what is in fact before this Legislature. It is quite true that Delgamuukw, the Vanderpeet trilogy and the Sparrow decision, starting with Byrne, set forth the fiduciary obligation of the crown to aboriginal peoples.

However, I know that Mr Hampton, the leader of the third party, would never suggest for a moment that there is some sort of hypothetical, looming phantom right, in the absence, under section 35, of an interference with aboriginal activity, whether it be hunting or fishing or with Delgamuukw, where it was dealing with aboriginal title. We have to establish one way or another that there is an interference.

If there was any suggestion that there would be any interference with aboriginal rights, either violating section 35 or otherwise, I would be extremely concerned. But look at this bill. You can't say that *prima facie* the bill will necessarily trigger the breach of the crown's obligation. In fact, that's not the case. If that happens, we will have a dialogue between the courts and the Legislature and, if need be, the amendments would be made, but it seems to turn the promise of aboriginal rights protections that was made by Chief Justice Dickson in *Byrne* and later in *Sparrow*—and arguably not fulfilled, I should say, by later decisions—on its head to suggest that in fact necessarily it hovers over this proceeding, and I don't think it applies in this case.

**Mr Bisson:** I just want to say I agree entirely with the comments that were made by my leader. The entire issue of what it means to—

*Interjections.*

**Mr Bisson:** This is not a joke. The Tories can joke about this all they want. First Nations people have an inherent right when it comes to hunting, fishing and trapping, and we need to make darned sure—and that's why we want this bill to go to committee of the whole, to be able to ask those questions specifically of the ministry and to introduce an amendment that would basically say that you're not going to abrogate those rights or lessen those rights in any way. One of the things we're asking for is a non-derogation clause in the bill. I'm sure my leader will make more comments on that when he gets an opportunity to respond in a few minutes.

**Mr Duncan:** My colleague from St Paul's addressed the leader of the third party's concern with respect to constitutional rights, and I've just refreshed myself. This bill was introduced on November 19, 2001, and not once between November 19 and earlier this month did anybody in the third party suggest or otherwise imply that we ought to have committee hearings. That just never happened. I think what happened was, they've heard from their own constituents in their northern ridings with respect to the importance of a recognition of this nature and they got scared because they blocked it. That's understandable, and it's understandable that they would seek committee hearings. We all do that. What's particularly annoying is that this party has voted on 21 occasions not to sit in the House and debate legislation—21 times and counting. Just since September of last year they have voted against sitting. We don't like the way the House sits, sitting late and cramming things in, but we would never suggest for a moment that we should vote against any opportunity to sit and debate.



This bill is pretty straightforward. My colleague from St Paul's addressed the constitutional issue. We have talked to the First Nations people as well; in fact we wrote to them earlier. All we're saying is that given the nature of the bill, why didn't they raise this in November? Why didn't they raise it in December? Now they're up raising it. I think their motives are suspect. I think they realize now they ought not to have blocked it so hastily because there were discussions in the communities between the parties. There's not a letter, a request, a motion or anything to have had committee hearings until just the last week or so.

**Mr Prue:** Just a very brief response, but I would like to comment on the previous responder. I may be a rookie here but it always seemed to me that you didn't get to debate until second reading. Isn't that what we're doing here today? Isn't this the first chance to raise that? Isn't this the first chance for people to talk?

Anyway, to comment, and I was going to raise this issue myself if and when I finally got a chance to speak, but the whole issue of the First Nations is one that we should never forget, as a Legislature, as a people in this country. We have done enormous wrongs to the First Nations of this land. We have done enormous things to take away their livelihoods and their rights, and we must start to redress that. One of the ways we can redress that is to make sure that we do no more harm. If all that this debate is going to do is to ensure that no more harm is done to them by way of a clause in the legislation saying that they are exempt from this and that their treaty rights will be kept, then that would be good enough for me.

**The Acting Speaker:** Response?

**Mr Hampton:** Just to summarize once again, and I appreciate the comments of other members, it seems to me the government has to make either one choice or another. On the one hand it either has to say to people, "Look, this really doesn't create a new right. This is really a feel-good bill. It's not intended to create a right. It's really a public relations exercise," or it has to seriously engage in the kind of constitutional work that has been set out in a number of Supreme Court of Canada decisions which the Supreme Court of Canada says must be engaged in, especially if you are dealing with rights which potentially conflict with already-established constitutional rights.

It seems to me there is no in-between here. If this is not a new right, if this doesn't seek to create rights to hunt and fish, then I think the government's got to say, "It's really a public relations exercise. We feel bad about some of the relations this government's had with the Ontario Federation of Anglers and Hunters and we wanted to do something to restore that relationship." It could do that, or, if it is really serious about creating new rights or affirming a new right, then the Supreme Court of Canada has set down the consultative process that must be engaged in in order for that right to have any constitutional validity, in order for that right to withstand constitutional challenge.

I suspect, as I said earlier, that this is just a feel-good public relations bill that will not establish any new rights, and the government should be honest enough to say that.

**The Acting Speaker:** Further debate?

**Hon Helen Johns (Minister of Agriculture and Food):**

It's really a pleasure to be able to speak to this bill. As everyone in the House would know and many who are watching TV tonight would know, I represent one of the largest agricultural ridings in Ontario and a riding that truly has a heritage that is tied to hunting and fishing. That's really what this bill is about.

We've now been debating this bill for two nights and I want to just draw the public's attention to the fact that this bill is really tiny. It takes into effect two short pages and I think we could have read this out in that time frame and discussed every line within this bill. So I thought I'd spend a few minutes doing that. But let me just say that it would sound, from the information we've heard tonight, that there have been no hearings or discussions with respect to this bill.

This bill, as Mr Duncan said, received first reading in the Legislature in November 2001. It was followed then by a 30-day public comment period when the proposed legislation was posted on the province's Environmental Bill of Rights registry.

**2050**

During that comment period, according to the Ministry of Natural Resources, the support for this bill was unprecedented. In fact, they used the word "overwhelming," with 97% of the respondents indicating support. So from that standpoint it is somewhat surprising.

Over the last two nights as we've been discussing this in the House we've had many people in the lobby who have been here to support the bill. Once again tonight we have Ray Gosselin here from the Canadian Outdoor Heritage Alliance.

*Applause.*

**Hon Mrs Johns:** We'll give him applause. He's here because he's concerned; his members want this bill to pass. From that perspective, we need to think carefully about what the constituents in the province of Ontario want and we should move forward with it.

As I said, the bill is pretty short and the preamble says, "Recreational hunting and fishing have played important roles in shaping Ontario's social, cultural and economic heritage. Recreational hunters and anglers have made important contributions to the understanding, conservation, restoration and management of Ontario's fish and wildlife resources. The best traditions of recreational hunting and fishing should be valued by future generations."

I have to say that I don't think anyone can disagree with that. I think that we have to say that there's no question, especially in ridings like mine, that hunting and fishing is part of the social fibre that we have in our community. It's part of the heritage that's passed down from mother to son to grandson or granddaughter, whatever, and it's a really important part about how rural Ontario has the great quality of life that makes many of

us want to live in rural Ontario, stay in rural Ontario and raise our families in rural Ontario.

It is surprising to me, I have to say, that it's been the NDP that has been hesitant about passing this bill. As we all know, in December the Liberals raised the issue about unanimous consent for this, and for that I am grateful. I'll tell you why it's so surprising. The people in the NDP for all intents and purposes—they have a few Torontonians in that caucus—are from the north where hunting and fishing, like in rural Ontario, is a way of life. So from that standpoint I'm surprised that we're discussing this for the NDP.

As the bill goes on, it then talks about the right to hunt and fish. A person has the right to hunt and fish. What's important about this is it then says "in accordance with the law." So it's not saying you can break the law to hunt or fish. It's not saying that it takes away native rights. It's saying that you can hunt or fish in accordance with the law. So from that standpoint, that's important.

Then it talks about setting up a commission, and from that standpoint the role of the commission doesn't seem too onerous. The commission would build on the success of the Fish and Wildlife Advisory Board and would provide advice to the minister on a variety of matters, including the promotion of public participation in fishing and wildlife conservation programs—who can disagree with that?—the promotion of tourism related to hunting, fishing and other fish and wildlife activities, and the promotion of new opportunities for hunting, fishing and other fish and wildlife activities. I'm surprised that this is causing such controversy; I have to say that I am surprised by that.

This commission has an advisory role and reports directly to the Minister of Natural Resources. The minister then submits an annual report so the people of Ontario know exactly what the commission has done during the year. It can report on the issues. It's tabled in the assembly so the NDP can have a look at it, the Conservatives can have a look at it, the Liberals can have a look at it. So I'm really surprised that this has become a lightning rod in this House.

I have to say that when I had the opportunity last week to meet with some stakeholders the minister brought in, I was so surprised by the support that happened in all of the hunting and fishing heritage organizations that are in the province of Ontario. It's a small sign. We believe that this is an integral part of rural life, it's an integral part of northern life, it's an integral part of the heritage that many of us aspire to have for our children and our grandchildren.

You would guess as you look at me that I may not be the big hunter or fisherman that others in this House are. But I have to say that there is nothing like spending a Saturday afternoon out in a little boat with two little kids you're very proud of and spending time talking, fishing, tangling lines, trying to get the worm on and off, trying to get the fish on and off. I have to say that that's what makes the quality of life in rural Ontario. That's what we're all so proud of. That's why we choose to have our

children born, raised and hopefully retire in rural Ontario. That's the kind of life and the legacy I want to leave for my children. I'm proud of that and I'm happy to support this bill because I believe that we always need to give credence and to ensure that this way of life is protected.

**The Acting Speaker:** Questions and comments?

**Mr Peters:** It's great to hear the Minister of Ag and Food get up and speak this evening. I know it's not part of the debate this evening, but it would have been nice to have her explain what happened to RA, the rural affairs ministry, and what the new Ministry of Ag and Food is going to look like. I know the agricultural community in rural Ontario is anxiously awaiting the day when we come clean and we see what the new Ministry of Agriculture and Food looks like.

This is a piece of legislation that doesn't, as we know, have a lot of substance to it. It is a piece of legislation that is recognizing the right to hunt and fish. But I think we all, every one of us—as in my comments earlier this evening—need to recognize too the collective damage that we have done to the environment in this province and the corrective action we need to take to turn things around. What we need to do is ensure that as initiatives are taken in this province we support conservation activities that are going to help in the restocking of our streams and our lakes, measures that are going to turn around some of the pollutants that we've allowed to come from our municipalities, pollutants that we've allowed to come from failing septic systems in this province and pollutants that we've allowed to come from the agricultural community. We can't point the finger at any one person. We need to collectively accept the responsibility that we've done a lot of damage to the environment in this province and we've got to turn things around.

This is a piece of legislation that draws some awareness, but we need to take it beyond awareness. We need to take hard and concrete steps to help turn things around, to help start to improve the natural environment. This legislation doesn't do that. But I recognize that the minister recognizes the importance of passing this legislation.

**Mr Kormos:** I listened carefully to the Minister of Agriculture as she used up almost all of the 10 minutes allotted to her. This is incredible. For a bill that she insists is somewhat irrelevant, we've had two cabinet ministers tonight speak to it already. I've never seen—

**Mr Bisson:** Three.

**Mr Kormos:** Three cabinet ministers tonight. It is unprecedented to have this many cabinet ministers wanting to participate in a debate around a bill of which they say, "Oh, just pass the son of a gun and get it done and over with." No, Minister. Clearly, you feel obliged to participate in the debate, which is why you stood up. I'm glad we gave you that chance. That's what this Parliament is all about: people standing up and speaking on behalf of their constituents with respect to the legislation before them. Goodness, Minister, you finally got it.

The Liberals wanted this to pass without any debate. Now we discover that their own members were being



stifled because today we see Liberals standing up participating in the debate—finally. We see Mr Peters from Elgin-Middlesex not only acknowledging how important it is to speak to this bill in this House, but similarly that it's important that this bill go out to committee. That's what this Parliament is about.

I don't know who you thought you were hoodwinking when you told anglers and hunters that you, the government, could somehow break the rules and not expect parliamentarians to fulfill their responsibilities by passing this like that. I sure as heck hope you didn't—you know what I mean—the m-word them, because whoever told anglers and hunters that this government—the government didn't call the bill. The government had no interest in seeing this bill passed before Christmas. You never called it. You're the guys in control. You abandoned anglers and hunters.

2100

**Mr Chudleigh:** It's difficult, of course, to follow the antics of the member opposite. Hunting muskrat on the Welland marsh wouldn't ever be in your experience, I suppose.

Talking about consultation on legislation, I think our government—

**Mr Kormos:** What are you suggesting?

**Mr Chudleigh:** Haven't you ever been out on the Welland marsh hunting muskrats?

*Interjection.*

**Mr Chudleigh:** You haven't lived.

*Interjections.*

**Mr Chudleigh:** You have to be very careful how you dress them.

On the consultation this government has taken when compared to the consultation that the NDP government had from 1990 to 1995, I'm very comfortable with the record of this government compared to the rather despicable record that you had when it came to consulting with the public of Ontario and going against the wishes of the vast majority of people in this province.

When the member from Huron was talking about this act and this bill—

**Mr Kormos:** The Minister of Agriculture.

**Mr Chudleigh:** —the Minister of Agriculture, when she was talking about drifting down a river with her two boys, whom I've met, it drew up those same kinds of memories that you had when you were a very young person, whether you were a boy or a girl, fishing with your parents and having those conversations that you just may not have the opportunity to have under other circumstances with people. That kind of heritage is something that this province should enshrine and should have available to the future children of Ontario for ever and ever. That's why I'd be very proud to support this bill.

**Mr Bisson:** I'm delighted that the government has taken the time, three cabinet ministers now, to debate this bill, to tell us what they think and how important they think this bill is to the constituents they represent. I just want to point out that it's the very reason why we as New Democrats last Christmas said no to the Liberal motion to

use unanimous consent to have no debate on this bill. It's too important to hunters and others to basically have no debate on it and to allow this bill to go forward in the way that it was proposed by the Tories.

I say to the government, I'm heartened by finally seeing the government debating this bill, finally seeing the Liberals getting into the debate on the bill and saying we need to have some time at committee, because indeed we do need some amendments to this bill. As I had said in my initial comments on this bill, the government purports by way of the title of the bill that they're giving anglers and hunters some kind of rights. Now—

**Mr Kormos:** Just like the Victims' Bill of Rights.

**Mr Bisson:** It's like the Victims' Bill of Rights. It basically is like an emperor with no clothes, because when you read the bill it says in subsection 1(1) that you have the right to hunt and fish provided you follow the law. When you ask the experts what that means, they say, "It doesn't mean anything."

Then they have a second section of the bill that says that where you used to have a committee to advise the minister you now have a commission, and it's the minister who decides what the commission does or doesn't do. So when I ask the ministry, "Does that change anything?" they say, "No, it doesn't do anything. It's the same as the status quo."

What we've got here is an attempt on the part of the government to say, "Anglers and hunters, we love you. We want to, as a Tory caucus, embrace you. We want to give you a nice, tight hug and say we love you because we understand as Tories we've been bad to anglers and hunters," that you've whacked them on the head every chance you've had. You're the guys who cancelled the spring bear hunt, you're the guys who introduced slot sizes, you're the guys who used special-purpose funds out of the account to pay for the Lands for Life process, and I don't have enough seconds left on the clock to say all the other negative things you've done.

So, yes, I will propose amendments—

**The Acting Speaker:** Thank you.

*Interjections.*

**The Acting Speaker:** Order.

**Hon Mrs Johns:** I'd like to thank my colleagues from Elgin-Middlesex-London, Niagara Centre, Halton and Timmins-James Bay for their comments.

I think this bill is important. It enshrines in legislation the view that hunting and fishing are an important part of our heritage in rural Ontario. It enshrines the fact that the government and everyone in this Legislature think hunting and fishing are important. And I think there is a reason we would want to say that.

I have to say to the member from Timmins-James Bay that I give anglers and hunters just a little more credit than he does. I don't think they're going to love us today because of one bill. They have asked us, as they have asked you and the Liberals, to move forward and pass this bill. They've asked you to do that—you know they've asked you to do that—and yet you choose not to do that. I don't think, because you stand here and hold

this up for days on end, that the Conservatives are going to look terrible. I think it's a challenge that we ask you: anglers and hunters have the ability to make decisions about the things we do, and I suggest to you that we all need to show that we have a commitment to this very important lifestyle.

*Interjections.*

**Hon Mrs Johns:** I understand that you have a lot to say, and I can't wait to hear from the member for Niagara Centre, but it is my 22 seconds left. Let me just say that in this Legislature we have a lot of things we bring from our own communities. We have a lot of things that we're very proud of and that we represent here in the Legislature floor because our constituents are very involved in them for some reason. Hunting and fishing are two of those things in my riding, and that's why I speak so positively about them.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to speak briefly tonight in support of Bill 135 and make a couple of observations.

*Applause.*

**Mr Conway:** I'm glad I have incited an apparent paroxysm of enthusiasm in the member from Scarborough.

**Hon Janet Ecker (Minister of Finance):** Not a lot excites her. It's a good thing.

**Mr Conway:** The Minister of Finance says that not a lot excites her, and this is a good thing. I'm not going there, Janet.

**Hon Mrs Ecker:** I wouldn't either.

**Mr Conway:** I've been listening to this debate, and this is now day two or day three on this. I would say to the government: is our order paper so burdensome that we can afford to give this amount of legislative time to this? I mean, who could be opposed to this?

*Interjections.*

**Mr Conway:** I have been listening to the debate.

But I want to say, quite seriously, that one would have to be extragalactic to think that recreational hunting and fishing are somehow not part of our patrimony and our future in Ontario. The people who send me here would expect that I would stand in my place, as would any member of the Legislature for the Ottawa Valley—they would say, "Tell those people in Toronto that of course hunting and fishing are important values today, tomorrow and certainly yesterday."

Just look at this coat of arms above our illustrious Speaker. Think about your history here in old Upper Canada. Where did the great wealth of Ontario originate? I live across from the Hudson's Bay Company store on Bloor Street. What was the bedrock on which that great fortune was made?

But it is more than just a bromide, my friends. Let me just make two observations. Hunting and fishing issues remind me of how fundamentally important is the regional divide in the Ontario and the Canadian political culture.

*Interjection.*

**Mr Conway:** The member from Scarborough intones that I am wrong. I presume she wants to get into this debate; she seems to be seized of a veritable verbiage tonight. So get into the debate, madam. You shouldn't be sitting there spitting and muttering into your book; you should engage in the debate in the way you know how.

I want to make the point that as more and more people in this province live south of Highway 7, and more and more—

2110

**Ms Marilyn Mushinski (Scarborough Centre):** Jesus.

**Mr Conway:** Now she's swearing at me.

The fact of the matter is that more and more people in Ontario are living in the greater Toronto area. I just cite the latest Statistics Canada data. In the last five years, the population in the province grew by 6.1%. I think the GTA was growing by around 10%. My area declined by 1% and northern Ontario by much more than that. Most of the hunting and fishing in Ontario occurs outside of Metropolitan Toronto, metropolitan Hamilton, metropolitan Ottawa.

*Interjections.*

**Mr Conway:** What am I going to do with this? I'm not going to try to compete.

**The Acting Speaker:** We'll stop the clock. We really do have to be a little bit quieter. Mr Conway has the floor.

The member can continue.

**Mr Conway:** I'm going to get momentarily to a point that is very difficult. I was speaking to the Minister of Municipal Affairs. We all want to be positive, and we should about this. But I've got a story to tell that is perhaps just a reminder of an aspect of this that's going to be difficult. Most of the hunting and fishing, as I say, goes on well north of here. In my area, which is in the Algonquin Park perimeter, there's a lot of hunting and fishing. Certainly when you get into Mr Hampton's territory up near the Manitoba border, fishing particularly and hunting certainly goes on to an even greater degree. It's a big part of that regional economy, as it is in mine and Mr Hodgson's.

I'm under no illusion, just watching the public debate in my part of the province, and perhaps the Minister of Agriculture sees some of this as well, that the hunting and fishing issues are certainly starting to cause some friction. As the province becomes more urban and more suburban, I fully expect the tensions on this divide to increase. I don't think we need to be unduly concerned about that, but we can certainly expect more of it.

I'll tell a little story. Friends of mine run a newspaper in my area. For years, during hunting season they used to prominently display the prize catches on the front page of their paper. They've been encouraged to stop that practice in recent years just as a small reminder that there is a growing other side to this debate—not one that I happen to share.

I was listening to somebody the other day on the CBC. It was somebody from Britain who's coming to Canada



to argue the case that angling was a cruelty to fish that should be ended by humane governments. I found it an exotic point of view and not one that I share, but it was a very interesting and lively argument, and I suspect that there are people in my constituency who would perhaps share that view. I would expect they very much are in the minority.

The point I want to get to in the very limited time I have tonight is that in my part of eastern Ontario, we have a land claim. The Algonquins of Golden Lake have a very substantial land claim currently before the governments of Ontario and Canada. As part of that land claim discussion and for the reasons that Mr Bryant and the leader of the New Democratic Party were referring to earlier, we acknowledge an aboriginal right to hunt and fish. At the present time, the Ministry of Natural Resources is telling us in my part of eastern Ontario that while we have a surfeit of deer in southeastern Ontario, there is apparently a sharp decline in the moose population in and around Algonquin Park. The decline in that moose population is apparently going to occasion a significant reduction in the number of moose tags that will be available this fall in the hunting season.

As a local community and as a provincial government, with the active involvement and participation of the aboriginal community, we are going to have to manage that hunt around the moose population in my part of the province with a view to an apparent decline and what are clearly different entitlements.

Let me say in the absence of the Minister of Natural Resources that the ministry is certainly very actively involved in this. This is not easy public administration or easy politics. I simply stand in my place today and say, yes, I support Bill 135, yes, I recognize that hunting and fishing are and must continue to be important recreational pursuits and commercial pursuits, not only in my part of the province but across the province generally. But make no mistake about it, increasingly we as a Legislature and you as government are going to have to manage delicate and difficult issues at the interface of the aboriginal and non-aboriginal hunt, particularly when issues of declining populations are involved, as appears to be the case in and around Algonquin Park.

I want to say to my constituents, particularly those who have an interest in and an expectation of participating in the moose hunt, let us both, aboriginal and non-aboriginal, understand that there are important issues of conservation, heritage and, yes, an aboriginal right to hunt and fish that the Supreme Court of Canada has ruled is qualitatively different than the non-aboriginal right to hunt and fish. I say to my community, aboriginal and non-aboriginal, let us go forward, particularly in the coming months, with a view to that Algonquin and Algonquin-related moose hunt and apply the very best of our good sense and our good judgment and negotiate within the jurisprudence and the public administration that we all know well a fair and defensible policy and result.

**The Acting Speaker:** Questions and comments?

**Ms Martel:** I will respond to the member with respect to the moose tag lottery, but before I do that, I find it really hard to take the government seriously when they say they are supportive of hunting and fishing rights and they can't understand why we can't deal with this bill without further delay, because if you look at the government record with respect to this bill, it is a sad record indeed.

This Legislature last year resumed sitting on September 24 and the Conservatives did not introduce Bill 135 until November 19 for first reading, and then they never again brought it forward for either second reading or debate or for a vote. In fact, on December 12, two days before the Legislature was supposed to close, the Conservatives told us that they wanted this bill and about 12 others completed without any debate on second or third reading and without any amendments. We found that, frankly, very hard to believe because, as I said, the government did nothing with respect to this bill after it was introduced on November 19, even though this Legislature sat each afternoon on Monday, Tuesday, Wednesday and Thursday, and Monday, Tuesday and Wednesday nights beginning in October.

We also knew that if it was a priority for the government, they could call it for second reading debate on December 12, because we sat from 1:30 until midnight, and they could have called it again on December 13, when we sat until 10:30, but they waited until 10 o'clock on the night of December 13, when we recessed, to actually have something done with it. If it was such a priority, if you were so committed, where were you in terms of bringing forward this bill?

I say to the government as well, people in northern Ontario who hunt and fish aren't interested in being part of a snow job. They don't want a public relations exercise; they want a bill that will deal with legitimate MNR issues, like the moose tag lottery, like your proclamation of slot size without any consultation, and like—

**The Acting Speaker:** Thank you. Questions or comments?

2120

**Ms Mushinski:** Based upon the rant I just heard from the member for Nickel Belt, I wasn't sure if she was in favour of this bill or not. She seems to harp on why we shouldn't pass this rather than why we should. That's why I was really quite delighted to hear the very eloquent arguments from the member for Renfrew-Nipissing-Pembroke, who is very supportive of this bill.

I guess the element that appears to be missing from much of the debate tonight is that, even though there seems to be this emerging argument that there is a strong difference between rural and urban Ontario in terms of support for this bill, I can tell you that many of the hunters and anglers who promote and support this bill actually live in my riding. Some of my very closest friends strongly believe that hunting and fishing is very much an integral part of our heritage and have asked me personally to please speak in defence of a very strong Heritage Hunting and Fishing Act. I believe the act that is

being discussed this evening should have all-party support because it truly does reflect the support of all of our constituents. It is a bill that clearly recognizes recreational hunting and fishing as a part of our—

**The Acting Speaker:** Thank you. Questions, comments?

**Mr Peters:** It's a pleasure to get up and speak. I think more of us should listen to what Mr Conway says because there is no doubt that he is the most eloquent speaker in this Legislature but also somebody who brings a lot of common sense. I use "common sense" certainly not in the vein that the governing party uses the word but as to what we should do in an approach to dealing with issues, a common sense approach of dealing with issues, not only protecting the heritage but being conscious of the conservation of the issue, of bringing forward policies that are fair and defensible, of dealing with the balance between the aboriginal and the non-aboriginal community—good sense and good judgment. He brings to this debate a great deal of thoughtfulness that doesn't always come forth in this Legislature.

I think what we need to do, and what I would really urge the government to do—I don't know why they don't listen to Conway more often—is listen to what he is saying because he does bring that common sense to this Legislature that is lacking. He brings something to the debate. He doesn't stand up and read the Tory script that's handed to the members that they stand up and read. He doesn't do that. He's trying to advance and do something that's in the best interests of this province.

This legislation is a step forward because it does recognize the right to hunt and fish.

**Mr Marchese:** I did want to get on the record tonight on this issue. I've got a different angle and nothing whatsoever to do with anglers. I've got to tell you I'm a downtown boy. I grew up in Toronto. I really don't like fishing and those little worms. The only wildlife I know are mice and rats in downtown Toronto. That's as far as I go with wildlife.

But I want to respond to my friend from Renfrew-Nipissing-Pembroke because the question he asked when he began his remarks was, "Who would be opposed to this?" The better question would be, "Why is it before us?" Because if it doesn't confer any new rights for anglers and/or hunters, why is it in front of this Legislature? What does it mean to anyone? Because unless you are speaking about what is new and/or different for hunters and/or fishermen or -women, I don't know why the bill is before us. "Who would be opposed to it?" is his question; mine is, "Why is it before us?" Because it raises questions and doubts, at least in some people's

minds, particularly in the aboriginal communities, who say, based on legal opinion, that it may impose on them certain doubts, worries about their rights—and it's for that reason that they seek derogation kind of amendments, so as to be protected from any possible harm that such a bill would do. Why is it before us, except to raise doubts in the minds at least of aboriginal people, and others, of what little I know, that then we have to worry about as a Legislature and as members?

So I say to you, my friend, and to the Conservatives, it should not be in front of this Legislature. We shouldn't be debating it in the first place.

**The Acting Speaker:** Response.

**Mr Conway:** Let me just conclude by making the observation again that a very large percentage of the people I represent would expect me to stand in my place and support this bill, which I do, because any sensible representative of the Legislature from my part of eastern Ontario would have to observe that hunting and fishing are important, have been important and will continue to be important to the recreational and economic well-being of our communities, not just in my part of eastern Ontario but in most of the rest of the province as well.

I want to further advise the Legislature that we have to be very cognizant that, particularly when we face, as we do in the Algonquin Park area this season, an apparent reduction in a moose population, which reduction is going to have an effect, apparently, on the hunting that will be available, particularly to the non-aboriginal community, we are going to have find sensible and prudent ways to manage the hunt that are fair to both parties, to both aboriginals and non-aboriginals.

I'm under no illusions that this is necessarily going to be easy. I can remember 25 years ago when we didn't have the discussions around land claims and we had some issues with the deer population and some of the constraints that had to be imposed on hunters because of declining deer populations, and we had some of the fieriest meetings I can ever remember. Well, this fall we are going to face some reductions, apparently, in the moose hunt, and there are already indications that there's some real concern in my communities.

I say finally to all parties, to the government of Ontario, to my hunters and to the aboriginal communities in eastern Ontario, let us go forward with good sense and good judgment in the interests of conservation and manage these issues in the very best way we can.

**The Acting Speaker:** It being 9:30 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

*The House adjourned at 2128.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman  
 Speaker / Président: Hon / L'hon Gary Carr  
 Clerk / Greffier: Claude L. DesRosiers  
 Clerk Assistant / Greffière adjointe: Deborah Deller  
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Brant	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac-Lennox and Addington	
Burlington	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Hoy, Pat (L)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Ruprecht, Tony (L)	Kenora-Rainy River	Gerretsen, John (L)
Davenport	Caplan, David (L)		
Don Valley East / -Est	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Wettlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
	O'Toole, John R. (PC)	Kitchener-Waterloo	Beaubien, Marcel (PC)
Dufferin-Peel-Wellington-Grey	Colle, Mike (L)		<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Durham	Peters, Steve (L)	Lambton-Kent-Middlesex	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Eglinton-Lawrence	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Lanark-Carleton	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Elgin-Middlesex-London	Crozier, Bruce (L)		Wood, Bob (PC)
Erie-Lincoln	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	Leeds-Grenville	Mazzilli, Frank (PC)
	Hastings, John (PC)		<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Essex	Kells, Morley (PC)	London North Centre / London-Centre-Nord	
Etobicoke Centre / -Centre	Lalonde, Jean-Marc (L)		
		London West / -Ouest	
Etobicoke North / -Nord		London-Fanshawe	
Etobicoke-Lakeshore		Markham	
Glengarry-Prescott-Russell			

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiles, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Clearly, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmings-James Bay / Timmings-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Samia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉ PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

### **Finance and economic affairs /**

#### **Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

### **General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Mike Colle, Garfield Dunlop,  
Steve Gilchrist, Dave Levac, Al McDonald,  
Norm Miller, Michael Prue  
Clerk / Greffière: Anne Stokes

### **Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

### **Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

### **Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Marilyn Mushinski, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

### **Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

### **Regulations and private bills /**

#### **Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells, Rosario Marchese,  
Ted McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

### **Alternative fuel sources /**

#### **Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley,  
Doug Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

## CONTENTS

Wednesday 29 May 2002

### SECOND READINGS

#### Heritage Hunting and Fishing Act,

2002, Bill 135, *Mr Ouellette*

Mr Wettlaufer .....	469
Mr Barrett .....	470, 472
Mr Baird .....	471
Mr Kormos .....	471, 479, 481, 486
Mr Chudleigh.....	471, 487
Mr Bisson ....	472, 482, 484, 486, 487
Mr Peters .....	473, 476, 486, 490
Mr Prue .....	475, 482, 485
Mr O'Toole.....	475
Mr Lalonde .....	476
Ms Martel .....	476, 489
Mr Hodgson.....	476, 479
Mr Bartolucci.....	478
Mrs Johns.....	479, 485, 487
Mr Duncan.....	479, 481, 484
Mr Bryant .....	480, 482, 484
Mr Hampton .....	483, 485
Mr Conway .....	488, 490
Ms Mushinski .....	489
Mr Marchese.....	490
Debate deemed adjourned.....	490

## TABLE DES MATIÈRES

Mercredi 29 mai 2002

### DEUXIÈME LECTURE

#### Chasse et la pêche patrimoniales,

2002, projet de loi 135, *M Ouellette*

M Lalonde .....	472
Débat présumé ajourné .....	490



CA20N

X1

-023

Government  
Publications



No. 12

N° 12

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 30 May 2002

Jeudi 30 mai 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 30 May 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 30 mai 2002

*The House met at 1000.  
Prayers.*

### ATTACK ON THE UNITED STATES

**Mr Rob Sampson (Mississauga Centre):** Mr Speaker, on a point of order: At 10:29 this morning in New York City there will be a solemn ceremony to mark the removal of the last piece of debris from the terrible events around September 11. I seek the unanimous consent of this House to stand at 10:29 of the clock this morning for one minute of silence in honour of those who gave their lives to the people of this country and this world on that terrible day and at those terrible locations where those events occurred.

I ask also that the clock stop for that one minute in recognition of the fact that at that point in time, time did indeed stop.

**The Acting Speaker (Mr Michael A. Brown):** Agreed? Agreed.

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### TOMMY DOUGLAS ACT (PATIENTS' BILL OF RIGHTS), 2002

#### LOI TOMMY DOUGLAS DE 2002 SUR LA DÉCLARATION DES DROITS DES PATIENTS

Ms Martel moved second reading of the following bill:

Bill 27, An Act to promote patients' rights and to increase accountability in Ontario's health care system /  
Projet de loi 27, Loi visant à promouvoir les droits des patients et à accroître l'obligation de rendre des comptes dans le système de soins de santé de l'Ontario.

**The Acting Speaker (Mr Michael A. Brown):** The member for Nickel Belt has 10 minutes to make a presentation.

**Ms Shelley Martel (Nickel Belt):** It's my pleasure this morning to debate second reading of Bill 27, the Tommy Douglas Act (Patients' Bill of Rights). With this bill, New Democrats are taking the first step to put the focus of our health care system back where it belongs; that is, on patients and their families. We believe that our health care system has to be far more responsive to the

needs of the people it was originally designed to serve. So our bill will put into law what Ontarians can expect from our health care system and it will ensure both the development of and accountability for health care standards for patients.

Before I deal with the provisions of the bill, I'd like to point out that this is the third time the New Democratic Party has introduced a patients' bill of rights in the Ontario Legislature. In 1998 my colleague Marion Boyd, the former MPP for London Centre, introduced Bill 50. It was debated at second reading on October 15, 1998, and during the debate it was endorsed by members on all sides. Regrettably, while the government members voted in favour of Bill 50, the government then blocked it from being sent to the standing committee on social development for further consideration. Ms Boyd reintroduced the bill in April 1999, but it died on the order paper with the call of the 1999 election.

I'm introducing the same bill that was put forward by my colleague Ms Boyd. There are two changes that have been made to it. Let me tell you what they are.

The first is a change in the title of the bill. It is no accident that I have named the patients' bill of rights after Tommy Douglas, the founder of medicare. He waged a tremendous battle as the Premier of Saskatchewan to bring in publicly funded, publicly administered health care coverage for the residents of his province. That model of the single-payer health system was subsequently adopted across this country.

Medicare today continues to give Ontario and, frankly, Canada an enormous social and economic advantage and we cannot underestimate that fact, nor can we take it for granted. New Democrats believe that an overwhelming majority of Ontarians continue to support medicare and they want an expansion of publicly funded, publicly administered health care services.

The second change comes in the section including the health care standards commissioner. It increases the number of health care organizations and health care providers with whom the health care standards commissioner should consult while developing standards of care.

Otherwise, the bill remains unchanged from the one that was introduced by Ms Boyd. In that regard, I'd like to take a moment to acknowledge the tremendous amount of work and effort she put into developing those bills. They were drafted after much consultation with the Ontario Hospital Association, the Ontario Nurses' Association, the Registered Nurses Association of Ontario,

CUPE, OPSEU and SEIU. Frankly, the provisions developed in 1998-99 are as important today as, if not more important than, they were then.

I want to describe some of the provisions of Bill 27. The preamble makes it clear that the principles of the Canada Health Act should be extended to include not only hospitals and doctors' offices, as the act now covers, but should also include public health and long-term care, both in the community and in facilities. This extension of the Canada Health Act would recognize the objectives of health care policy applied to every stage of life and across every sector of the health care system.

What Ontarians can and should expect from their health care system is codified in the patients' bill of rights. The most important provision is the right to receive all necessary health care services in a health care system that is accessible, universal, comprehensive, publicly funded and publicly administered, one that ensures timely treatment, one that ensures choice of treatments, one that recognizes that every provider of health care services is a valued member of an interdisciplinary team and one that does not permit income to determine access to health care services.

Other rights of patients include the right to give or to refuse consent to treatment; the right to obtain full information regarding who will provide health care services and what their qualifications are; the right to participate in developing plans of care; the right to make complaints without fear of reprisal; the right to receive information about the rules and policies which affect health care providers, and so on.

Health care standards, clinical best practices and standards for health facility management would be developed by a health care standards commissioner, and he or she would be appointed as an officer of the assembly, like the Ombudsman or the Provincial Auditor. The bill outlines the many health care professionals and health care organizations which would be involved in developing those same standards. The commissioner would also be responsible for implementing a complaints process so that patients whose rights have been violated or who are concerned that standards of care are not being met have somewhere to go to have this investigated and dealt with.

1010

Every year, the commissioner would have to report to the Legislature on the complaints that have been dealt with and would also make recommendations to the government on changes to health care laws and health care policies. In this way, there would be accountability with respect to health care standards for patients. The onus would be on the government of the day, on health care facilities and on health care providers to make the best effort to respond to both the concerns and the recommendations made by the health care standards commissioner.

The final section, on whistle-blower protection, is aimed at allowing health care providers to come forward when the system is failing patients and their families

without fear of reprisal from their employers. Patients are very vulnerable when they are ill or when they are injured. Too many will not speak out because they fear losing the few services that they have.

So providers must have a mechanism to advocate for patients when they see that their employer is failing to meet standards, clinical practices and the health care needs of these same patients. That mechanism must include being able to come forward and not be disciplined, not be demoted or not be fired as a result.

I would encourage all members to support this bill. I urge the government members, in particular, to support this bill and to support sending it to a standing committee for further development. I say that because this government, despite repeated promises, has not brought forward its own patients' bill of rights. That was first promised by Minister Witmer in 1997, when she spoke to an ONA-RNAO convention and said that she intended to present a patients' bill of rights.

That promise was repeated in 1998, after Ms Boyd introduced Bill 50. The promise was repeated again in the 1999 Conservative election platform, the 1999 throne speech and the 1999 budget. It was repeated again in the 2000 throne speech and the 2000 budget. In fact, in the 2000 budget the government announced \$10 million would be spent that year to implement a patients' bill of rights in Ontario.

The fact of the matter is that a government bill has not come forward. In light of that, I am asking government members in particular to work with the bill that I have brought forward today. Work with me and work with this bill so that we can finally put in place legislation which does protect patients and does ensure that the health care needs of Ontarians are recognized and then are met.

In conclusion, I said at the outset that the Tommy Douglas patients' bill of rights puts the focus of health care back where it belongs: on patients and their families. I encourage all members to support it and to support its referral to a standing committee.

**The Acting Speaker:** I'd like to bring members' attention to a visitor we have in the west members' gallery. Tom Wells, the mayor of Haileybury, is with us.

Further debate?

**Mr John O'Toole (Durham):** It is indeed my pleasure to rise today to address the member for Nickel Belt's private member's bill, which was introduced just recently here, on May 23.

It's really a two-page bill. I would say at the very outset I wholeheartedly support the bill and I must inform her that our government is already developing a patients' charter of rights and responsibilities.

As she has mentioned in her remarks, there has been a lot of work done by this government and commitments have been made. More specifically, the April 2001 speech from the throne outlined our core goal of ensuring accountability in the health care sector. A patients' charter not only letting people know what they have a right to expect from the health care system but outlining their responsibilities in return is very much a part of this



government's agenda of accountability, as you've heard before.

The patients' charter of rights and responsibilities is but one in a series of initiatives this government is implementing as part of its accountability agenda to improve Ontario's health care system.

The Blueprint pledged a patients' charter and other elements of a comprehensive accountability framework, including patient satisfaction surveys, hospital report cards and regular reporting to citizens on the performance of their local hospital. Budget 2000 contained a commitment to the patients' charter, hospital report cards and related accountability mechanisms. In fact, we have already begun to issue hospital report cards to let the public know how their hospitals are performing.

We have consulted on the health care system on a scale that has never been seen before in this province. We went to the public through our public dialogue to find out what they thought about the health care system. It turns out patients indicated that although they could see improvements, they were generally satisfied with the health care system, specifically those receiving treatment.

There are many out there that are not in the system, or demanding from the system, that are clearly stakeholders that are staking out their territory.

So our strong commitment to accountability to patients and to providers in the health care system is already on the record.

Something as important to health care and its future sustainability as a patients' charter of rights and responsibilities must have public discussion. As we move forward, we will consult on the specific elements of the charter to ensure it works for both patients and providers. We will also be asking for advice on the proposed elements of our charter, incorporating both the needs of Ontarians and the needs of a sustainable health system for our collective future. In this respect, we welcome Ms Martel's contribution to the discussion.

Many of the elements of Bill 27 are already found in the proposed charter, such as the right to give or refuse consent for health care services; the right to all information necessary to make fully informed health care choices; the right to be dealt with by health care service providers without mental, physical, sexual or financial abuse; the right to make complaints, raise concerns, and recommend changes without fear of interference, coercion, discrimination or reprisal—in other words, a whistle-blowing clause.

However, it is important to note that patients not only have rights but, on the other side of the equation, responsibilities. We need to encourage all Ontarians to participate in discussions with their health care providers to ensure that they know the options available to them. It is also important that the people of Ontario use the health care system responsibly. That is why, a number of months back, the Minister of Health announced that people would be receiving statements on their health care use—a long-called-for accountability mechanism. These

are not bills, but statements that would indicate the true cost of health care services.

I think the biggest problem today is that many perceive the system is free. However, there is more to using the health care system responsibly. From ensuring that medical appointments are kept or cancelled in a timely manner to improving awareness of healthy lifestyle, patients also have responsibilities.

In many ways, Bill 27 is a duplication of our already initiated objectives. But it doesn't go far enough. It only addresses one side of the equation. We must recognize, for the good of our health care system, that patients have rights and responsibilities.

In the remaining moment or two, I think it's important to put on the record the many current initiatives that Minister Clement is working toward. I think the family health network system, which has been endorsed by the OMA, a phenomenon in health care that includes a very comprehensive, one-stop approach for patients and their physicians, provided with other health care providers, can make a truly comprehensive health care system work for all Ontarians, whether they're in urban areas or rural areas like my riding.

Just recently I met with Dr Ruth Wilson, who's the head of the Ontario Family Health Network, in my role as PA to health, and I'm convinced that this is the solution for the future in primary health care reform, and indeed health care. But it starts with rights and responsibilities.

**Mrs Sandra Pupatello (Windsor West):** I'm very pleased to stand in support of this bill by Ms Martel and hope that we can, in fact, have one day in Ontario a patients' bill of rights. As the member from Nickel Belt mentioned, it is a very familiar story to be talking about a patients' bill of rights because I too remember then-Health Minister Witmer discussing the potential of having this bill back in 1997. I would ask the people of Ontario this morning what they have noticed has changed about the health care system in Ontario, other than a greater and greater need every year to have a patients' bill of rights. I disagree wholeheartedly with the members opposite who would suggest today that people are very pleased with the care health system.

**1020**

What has happened in Ontario is that people have begun to expect less. People with money have been encouraged to go elsewhere for health care. That's what has happened in Ontario. So while I certainly will vote in support of this bill today, I am very cynical about what we can expect to come out of such a bill regarding health care in Ontario.

I ask the question of the government, what rights do patients have? What rights do ordinary citizens have to health care? I would ask anyone opposite to come and spend some time in my own home riding of Windsor. I would ask the members of the Conservative Party to come and I would ask them, how long is too long a wait on a cardiac care list for angioplasty? I would ask the members opposite, how long is too long a wait to get in

to see a neurosurgeon where I come from? I would ask, how long is too long a wait to get to see an ob-gyn? We have a raft of specialists who no longer practise in my city. They've moved or they've been enticed to go south of the border.

You can't access a family doctor in my town if you've just moved to my city, where we have an average now of some 30,000 to 40,000 to 50,000 people—they can't guess how many—without a family doctor. We've heard this government go on and on about primary care reform since 1995, as long as I've been here, and we still have, today in Ontario, 2% of family doctors participating in rostering or in some form of primary care reform—2% of family doctors. While this government is famous for making many, many announcements, nothing comes to fruition in terms of improving health care.

Here is a very telling example. Within this past month I've sat with a whole number of nurses who work in all parts of Hotel-Dieu Grace Hospital in my hometown, and we talked about how after these many years people cannot expect to have better care, because they can't access it. The number one issue for people in Windsor is access. So we said, "How can it be that people in Windsor still wait hours and hours in our emergency room?" Surely the government would know by now that there would be a solution to this. By the government's own policies, they've created longer and longer waits right across the board in accessing health care service.

When I spoke of the people who still call my office today and say, "How can it be that they could sit in a waiting room that long a time for something as simple as a shoulder dislocation, which surely won't kill them but is probably one of the most painful experiences an individual could have?" one of the nurses piped up and said, "We have resolved some of that issue." "Oh, and was that resolved?" "We decided to start administering some pain therapy while they're waiting in the emergency room." So in fact local professionals somehow have had to devise a way to mitigate what is a terrible length of time to wait in an emergency room by starting to give them shots while they're still sitting by the front door, instead of accessing a doctor and getting them into a hospital bed when that's required. We'll hear many, many stories now of more codes that are being implemented to try to deal with this.

When we heard about emergency vehicles being turned away and redirected across Ontario, the government's answer to this resulted simply in changing how they started counting what they call "code 7." So instead of these ambulances waiting and counting the amount of time they waited, they were now asked to give ambulances a 15-minute grace period before starting to count the amount of time the ambulance had to wait.

So I would question, even when we pass this bill today, which surely we'll be passing, what will change in this patients' bill of rights? We need to account; we want better accounting in the health care system. But if professionals are constantly called on to change how we count instead of the government being held to account for how they service the public, what will really change? The

people in my hometown still will wait and wait for services. This is the kind of health care system that is unacceptable.

In honour of Tommy Douglas, and with that name I'll also throw in that of Paul Martin Sr, who brought medicare to the nation, thanks to the work Tommy Douglas did in his home province, I'm proud to support this bill and I encourage all my colleagues in this House to do the same.

**Mr Michael Prue (Beaches-East York):** It is indeed a privilege and an honour to stand here to speak in favour of this bill. I am very happy to see that it appears it's going to receive all-party approval.

Tommy Douglas has been called many things, but one of them is the father of medicare. In his name, this is an excellent bill. As the member for Nickel Belt so correctly pointed out, this had its roots in rural Saskatchewan in the 1930s. People were finding that they were losing their homes, they were becoming bankrupt over medical costs and they were unable to get basic medical services or find a doctor. Tommy Douglas fought very long and very hard for decent and affordable, universal medicare for the people of Saskatchewan. He did so for many years and through a great deal of turmoil. There were doctors' strikes; there were problems in the hospitals that had to be massaged out and worked on until it became acceptable in that province.

Medicare went on to become a national movement. Yes, I heard the previous speaker and, yes, it was a Liberal government in Ottawa that brought that about, but they in no small way brought it about because Tommy Douglas was by then the leader of the New Democratic Party, its first leader, and campaigned quite effectively on the need to have a universal national program for all Canadians.

I remember as a young student growing up in Ontario those 1960s debates, and the emotion of all the debate on whether or not it was possible or feasible or whether we should go ahead and try to do that. There were many people in the early 1960s who said that it could not be done and should not be done, that it would destroy relationships between doctors and patients. With the hindsight of 40 years we can see that much of that argument was false. In fact, today most Canadians will tell you that the institution of government they like best in this country, the institution they most respect and the institution they will fight hardest to preserve is that 40-year-old tradition of universal health care, which was brought about in the 1960s in this country.

Mr Romanow is travelling the country, trying to get input, and almost universally he is hearing this same message: people want the system to be protected, they want it to be expanded, they want to have input in it and they do not in any way want something to come between them and the health care system that works for all Canadians.

The bill before us today is an excellent bill. It is a bill that is long overdue. It is a bill that has been promised literally for years.



**The Acting Speaker:** Thank you. By unanimous consent of the House, we will all rise and observe one minute of silence—the galleries are welcome to participate—in honour of remembrance and acknowledgement of the horrific events that took place at the World Trade Center in New York City, as they remove the last piece of debris. The clock will be stopped for one minute.

*The House observed one minute's silence.*

**The Acting Speaker:** Thank you.

The member for Beaches-East York.

**Mr Prue:** This is a bill whose time has come, just as surely as national medicare's time came in the 1960s. It is a time when we can extend, and need to extend, the rights of patients especially to know what they can expect in the system. We already know what the institutions are expected to deliver. We already know what the medical practitioners—the doctors, nurses, chiropractors and everyone else involved in the medical system—are supposed to do, but this is an opportunity for ordinary people to understand how the medical system is to work for them.

They will have the opportunity to know their rights. They will have the opportunity to know what they can expect when they walk into a doctor's office, when they walk into a hospital, when they walk into a home for the aged or from home care in their homes. Those are the places where people go, or to whence professionals come to get medical care.

1030

I'd like to digress for just a moment to talk about some of the problems that ordinary people are encountering in some of those institutions. Recently, the Toronto Star, Canada's largest newspaper, has run day after day, page after page, a synopsis of what takes place at Toronto East General Hospital. That is located in my riding of Beaches-East York, and it is a community hospital that is universally accepted in the community. People call that their community hospital. They go there for any range of ailments, for emergencies; they go there for minor operations. It is one of Canada's largest birthing centres. Many, many babies are born in that hospital, including my two brothers, who were both born there. It is a hospital that the community respects and it is a hospital that they support. In fact, every year when there is fundraising, you can count on the community to spend a lot of money in support of their community hospital, because they believe it belongs to them. It is part of their community; it is part of their health system.

But we have seen in the Toronto Star articles over the last week or so some of the cracks that are appearing in that hospital system, and some of the patients who believe they are not getting the kind of care that they always thought they should have gotten. We have seen the workers who are stretched to the limit. There aren't as many of them now as there once were. The demands upon them are getting worse and worse, being stretched to provide the kind of human care, the kind of one-on-one relationship with the patients that the patients have come or should reasonably come to expect.

We need something in those hospitals. We need something so that the patients who are lying there in the beds, the patients who are waiting in the emergency rooms, the patients who are waiting to see doctors, can look on the wall and see what they can reasonably expect; that they can expect to be seen in emergency within an hour or two, that they can expect that the doctor will use sympathy with them and be sympathetic to the ailments that they may have, that they can expect that if there are prescriptions or medicine needed at the end of their visit, it will be properly prescribed, that they can expect that their medical practitioners and all those who are involved will do everything possible to make the experience, if not pleasant, the least onerous possible, the least troubling possible.

We believe that this is a good bill, because it covers not just hospitals, not just clinics, not just doctors' offices, but home care and nursing homes and community-based care. Surely we have to start worrying about the aging population in this province. For any of you who have gone into nursing homes—I'm sure most of us have in the last couple of years—one has to know that the frail elderly who are living in those homes are older than they were a generation ago. We have to know that they suffer many ailments that, a generation ago, simply were not seen, because the people are living so much longer. The level of dementia, the level of Alzheimer disease and cognitive inability in our nursing homes is now up to 60% and 70% and 80% in some of them. Those people do not have the wherewithal to understand what they should expect, and they rely upon their families, they rely upon their caregivers to make sure they get it.

We need a patients' bill of rights in those nursing homes. We need it for the patients, even if they cannot understand it, so that their families can understand it, so that the caregivers can understand it, so that the people who go in to assist and the volunteers can understand it. We need the same for home care, so that it is available to them when someone comes to their home after they have been discharged from hospital, so they know what the nurses and the nurse practitioners and the doctors who come are going to do for them and how they are going to do it, and the minimum level of service that they can expect on each and every visit. We need it in the community-based health care centres, where people often go when they do not have a doctor of their own, where they go to get medical expertise.

This bill will go a long way to providing an Ontario health care standards commissioner, someone who will look at all of the care facilities, who will look at all the practices and who will be able to make recommendations that the government would be bound to, after consultation, in order to improve what patients and the general public can expect.

This bill also does one other thing which is really, really important. I'd just like to focus in my last few minutes on that. That is, it provides whistle-blower protection for those who work in hospitals, those who

work in home care, those who work particularly in nursing homes, so that people who work there can be the eyes and ears of those who have no one else. For those of you who have gone into nursing homes to visit loved ones, as I do every Sunday to see my mother-in-law, you will know that some of the people in those homes have no visitors. They have no relatives, they have no friends who come to visit them. They have no one to speak on their behalf, save and except those who work in the facility.

It is important to have whistle-blower protection. It is important for workers to feel empowered enough that they can come forward and speak when things go wrong, when someone is abused, when someone is not getting the kind of care that he or she deserves, when someone is not being treated in a human or humane way. They need the kind of protection of being able to come forward and to voice that without fear of reprisal and without fear of losing their jobs.

We have to remember that many of the workers in these institutions earn, although not minimum-wage salaries, they do not earn high-wage salaries. They are jobs very often associated with drudgery: cleaning bedpans, washing and mopping up floors. They are jobs that need to be done and are essential for the smooth running of the hospitals and the nursing homes. They are the eyes and ears of so many people. They are there and they can make a very real difference, but they cannot be afraid of losing their means of livelihood in doing it. So many public employees in the history of this country, in the history of this province and in the history of this city have been fired for blowing the whistle. People are afraid of losing their gainful employment, especially since in the majority of cases it is the best employment they have been able to find, either because they like the kind of work or because it is giving enough money to sustain themselves and their families. They cannot be afraid of saying that something is going wrong and being fired for saying it.

An essential element of this piece of legislation is to remove that fear and make people secure that, when they do complain on behalf of someone who is frail or elderly, someone who has cognitive disabilities, someone who cannot read or cannot understand what is happening to them, someone who is under the influence of just having had an operation and may have drugs to ease the pain and cannot understand what is happening to them—they are the people who are there on the front lines and they must be protected.

I'd just like to close with a quote. I think it's a very apt quote that deals with an analysis of the patients' bill of rights. It comes from Colleen Flood and Tracey Epps of the University of Toronto faculty of law. They produced a draft paper and they have spoken about patients' rights vis-à-vis health care professionals. The quote goes as follows:

"We envisage that a bill of rights in Ontario would therefore include not only rights in health care, but would also include rights to health care. It could do the latter by

setting rights in terms of guaranteed maximum waiting times. A commissioner or ombudsperson could be charged with the task of investigating complaints in relation to access and timeliness and reporting annually as to progress in meeting the targets set. What is a 'reasonable' waiting time will depend on the severity of the condition, the total level of resources available to the health care system and societal values.... Thus, for example, it may be reasonable to say in Ontario that patients should expect to wait no more than a year for non-urgent elective surgery like hip operations. It will still be up to physicians to triage patients on the basis of the acuity of their condition, but in general no patient should expect to have to wait, for example, for more than a year. By providing for a right to timely care, the goal is to reorient the system partially towards the justified concerns of patients and to impose some measure of accountability on the part of funders/managers for ensuring the delivery of timely care."

This bill is appropriate for the time. It marries, finally, the rights of individuals with the rights of doctors and with the sometimes brilliant work that is done in our hospitals, in home care and in our nursing homes. It all needs to come together. It needs to give ordinary people the right to know what they can expect and the right to complain if those expectations are not met. It protects the rights of workers from being fired or disciplined for standing up for those who have no one else to stand up for them.

I commend Ms Martel for bringing this forward. I commend the members who have spoken from the other two parties for supporting this bill. I look forward to its speedy passage.

1040

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** I rise today to just briefly address the member for Nickel Belt's, Ms Martel's, Bill 27. I'd like to indicate that from this side, I support the spirit of the bill. I would like to inform the House, however, that our government is developing a patients' charter. We are on the record, not just from the April 2001 speech from the throne but also from our Blueprint pledge of a patients' charter, on this issue.

I am very pleased today and would like to commend the member for being very strong on this issue. It's of major importance to Ontarians to have a patients' charter, and I am glad to see the member defending it in this House.

We as a government will be consulting on this issue. We feel that there should be public discussion on this issue. We want to consult on the specific elements of a charter to ensure that it works both for patients and for providers. We want to make sure that the needs of Ontarians are served, and also the needs of a sustainable health care system for our collective future. In this respect, we welcome Ms Martel's contribution to this discussion. What is lacking in the private member's bill is the other side of the equation, which is the responsibility of patients to ensure that there is no abuse of our health care



system, to make sure that taxpayers' dollars are spent properly.

I agree with the member for Beaches-East York, Mr Prue, that such a charter should have a whistle-blower clause. I strongly believe that patients in the health care system often are not in a position to complain about the services they are getting, and it would be very appropriate for the people in the health care system—the employees, the nurses—to be able to be advocates on their behalf and to bring it to the attention of the authorities if there are abuses or concerns about the level of care that patients are receiving.

With that caution, that we must provide in the charter some responsibility on the side of the use of our health care system, I'll be pleased to indicate to the member that I do support in spirit her bill.

**Mr Gerry Phillips (Scarborough-Agincourt):** I, too, will be supporting the bill. I wanted to devote my remarks at the outset to the economic advantages of our health care system to Ontario and why it is so imperative that we maintain and strengthen our health care system. I always carry around with me the government's own document on why you should do business in Ontario. In the very front of it, it says, "Ontario is one of North America's most peaceful and secure communities, and our remarkable health and education systems are publicly funded and open to everyone." Later on in the document, they talk about the enormous cost advantage for our businesses because of the way we've chosen in Ontario and in Canada to manage health care. It points out in this document that manufacturers in the US pay about \$3,100 per employee for the kind of health care coverage that is provided in Ontario for a cost to our manufacturers of roughly \$500. In other words, there's a \$2,500-per-employee cost advantage to doing business in Ontario.

In addition to being an enormously central part of our social well-being and something that I think sets Canada very much apart from the US, for our business community this is an enormous advantage. That's one of the reasons why we have said it is wrong to proceed with corporate taxes in Ontario 25% below the US. How do we have this way of funding health care? How do we have this enormous cost advantage? It is because we have said to ourselves that we will collectively fund health care through our taxes. But we've now decided in Ontario to have corporate taxes 25% below the US. Corporate taxes in the US, according to the government, are 40%; in Ontario, they're 30%. That is roughly \$4 billion of forgone revenue in the province of Ontario—\$2.2 billion in Ontario and \$1.8 billion of the Ontario federal income taxes, so \$4 billion. How are we going to make that up if we want to have this cost advantage in the way we fund health care? Does it mean that the government is going to increase sales taxes? How are we going to make that up? That's why we've argued, saying, "Listen. Our policy should be that corporate taxes are totally competitive with the US." My leader, Dalton McGuinty, has enunciated that always. But not 25% below the US. I think it is a fundamental mistake, and for our business

communities what it will mean is that health care costs will shift and they will end up paying a higher and higher percentage.

We talked recently with the CAW, and they pointed out that one of the enormous advantages in Canada is the way we fund health care. It is a terrific advantage for our auto sector. It is a major arguing point for why you should locate in Ontario. But we've now decided that we're going to take \$4 billion less in corporate taxes. How will we fund health care? So I say to the people of Ontario, you can't have it both ways. We can't have a significant cost advantage on the way we fund health care for our companies and still have corporate taxes 25% below. The math doesn't add up.

One of the things, among other things, that I appreciate in the bill by Ms Martel is the independent commissioner. I've always felt that the Ministry of Health has a conflict of interest. On the one hand, they are like an insurance company. They are trying to manage health spending. On the other hand, they are setting health policy, and I think they often get into conflict. I've often said the Ministry of Health's fundamental operation is that they never say no, but they never say yes. They find ways of delaying improvements in health care because they know they are going to, in many cases, have to invest some money in it. So I appreciate the independent commissioner that will help the Legislature.

I would say on health standards that the Liberal Party has argued for many years now that our budget—by the way, we're the only province in Canada that still doesn't have a budget. It's absolutely ludicrous that here we are now well into the fiscal year—I remember Mr Ernie Eves promised in 1995 that you would have a budget presented before the fiscal year started—still no budget. Still no budget. But to conclude, one of the things we have argued for many years is that the budget should include some standards on health measurements. I think that would also strengthen this bill.

So I will be supporting the bill and look forward to the vote later this morning.

1050

**Mr John Gerretsen (Kingston and the Islands):** I'm very pleased to stand in this House today and speak on this bill, which I will be supporting. This is private members' hour and I hope there are members on the government side who will be supporting this as well.

Some of the drivel we've heard from the government members—and I'm very disappointed in the new Minister of Citizenship, who says he supports the spirit of the bill but doesn't support the bill. What absolute nonsense is that? In 1999, during the election campaign, Mike Harris promised, if re-elected, to implement and pass a patients' bill of rights. This is your opportunity to do it. Why aren't you doing it?

Then to listen to the other member who spoke earlier talking about responsibilities, that patients have responsibilities. Of course patients have responsibilities—absolutely they have responsibilities. So why aren't you passing the Public Sector Accountability Act, which was

introduced with such great fanfare back in 1999 in your throne speech and hasn't seen the light of day since then? Yes, people have responsibilities, but what does that have to do with the right people should have to the best health care system available for them here in Canada?

Take a look at the bill. What does the bill say? The bill says that everyone in Ontario should have the right to have an "accessible, universal, comprehensive and publicly administered and funded" health care system. It should offer "freedom of choice," that patients should have the "right to all information necessary to make fully informed" health decisions, the "right to receive publicly funded health care of high quality in the home and in the community as well as in health care facilities." There's absolutely nothing in this bill that couldn't be supported by every member in this House.

As the member from Scarborough has already mentioned, it talks about the implementation of a health care standards commissioner. We all know we spend more of the public's money on health care than in any other area as far as the government is concerned. We hear these figures all the time. It's 35%, 40%, 45%, and yet we don't have any officer who really looks after the needs of the patients, who is responsible to this House in the same way that some of our other officers of the Legislative Assembly are responsible to us to ensure that the health care system is run in an efficient way and is run in a way that is accountable to the people of Ontario.

I find it amazing that the members opposite can take the position that, "We're doing the best we can and, therefore, by that alone the patients' bill of rights is already there." It isn't there. This is your opportunity to actually set some standards and to implement the thing you promised in 1999.

Another reason that was given by Mr O'Toole earlier was that the bill somehow doesn't go far enough. If the bill doesn't go far enough, let it go to committee and bring in amendments that will implement the type of things you would like to see in the bill. This will give the people of Ontario an opportunity to discuss this bill, it'll give the parties an opportunity to make necessary changes to the bill so that there can be further discussion about it and so that changes can be made to actually improve the bill.

I would ask every member to examine within themselves the reasons why they shouldn't support a very important bill like this. Is it because it came from an opposition member and the government somehow wants to own this bill? OK, rename the bill. Do whatever you want. If you want credit for it, take the credit for it, but ultimately we are responsible to the citizens of Ontario, and they demand a patients' bill of rights.

**Mr Steve Gilchrist (Scarborough East):** I'm pleased to add a few comments here this morning. I feel forced to do so after the interjection of the previous member more than anything else.

I certainly will be voting in favour of this bill. I applaud the member for reading the Conservative Blueprint in the last election and getting this bill on to the order

paper before the government did. I am quite prepared, in the principle of supporting private members' bills, to see this one go forward because I think this is representative of the kind of initiative that should constitute what we debate here every Thursday morning. Far too often what comes from the other side, including the member who just spoke, is nothing but rants and anti-government positions that do nothing to move forward this province. It seems to me with all of the petitions that you introduce in this place you would find other initiatives worthy of legislative support or reform. I applaud the member opposite for identifying an area where there is a need for further protection, for government and, in this case, the opposition to move forward with legislation that will improve the lot of patients in this province.

I would suggest to members opposite that if this hour is going to be as productive as it possibly can be, this is the sort of bill that we should be talking about.

I applaud the member. I can tell her that it is consistent with what the government is doing, but I'm not going to take anything away from the fact that she did get a bill on to the order paper first. For that I congratulate her, and I look forward to supporting the bill later this morning.

**The Acting Speaker:** Further debate? If not, the member for Nickel Belt has two minutes to respond.

**Ms Martel:** Let me begin by reminding the member from Scarborough East that this very bill was first introduced by my colleague Marion Boyd in 1998. We certainly didn't follow your Blueprint. We were way ahead of you. It was reintroduced in 1999 and we are here again today because in five years your government has not brought forward a patients' bill of rights.

Let me remind the government in particular that it was your minister, Ms Witmer, who told a conference in 1997 that it was her intention to bring forward a patients' bill of rights. Here she is on June 25, 1998, in Hansard in this House: "I would indicate to you that our government is working on a Patients' Bill of Rights: we're working on a patients' safety" net.

I heard the member from Durham today say his government is developing a patients' charter, that many provisions of the government's patients' charter are actually provisions that are in the bill that I brought forward today. I say to the government, if you're working on a patients' charter, it's the best-kept secret of your government. Who are you consulting with? Who are you talking to? Please do not try and pretend before this House today that you are actually delivering on something.

Let me go back to what Mr Klees said in the debate on Bill 50, this same bill, in October of 1998. He said, "One of the things we will have to do is to take into consideration the recommendations that were made by the member here," Ms Boyd. "It will be very helpful in the discussions we're having with our minister to ensure that some of these very important issues are incorporated in the government legislation." The government hasn't brought forward any legislation, not since the first promise made by this government in 1997. That's why this bill, the Tommy Douglas Act (Patients' Bill of Rights), is before us today.



I say to the Minister of Citizenship, yes, we need more consultation, even though this bill was developed with a number of stakeholders. The way to do that is to get it out to a legislative committee and have a full and open debate about what patients need in the province of Ontario.

**The Acting Speaker:** The motion will be decided upon at 12 o'clock noon.

## FIREFIGHTERS' MEMORIAL ACT, 2002

### LOI DE 2002

## SUR LE MONUMENT COMMÉMORATIF EN HOMMAGE AUX POMPIERS

Mr Wood moved second reading of the following bill:

Bill 113, An Act to honour firefighters who have died in the line of duty / Projet de loi 113, Loi visant à rendre hommage aux pompiers décédés dans l'exercice de leurs fonctions.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for his presentation.

1100

**Mr Bob Wood (London West):** A few minutes ago we observed a moment of silence for those who lost their lives in the tragedy of September 11, 2001, in New York. That, I think, was an instance of where some good did come out of a great tragedy. In the most dramatic and high-profile way, what firefighters and other emergency workers do day in, day out, year in and year out was demonstrated to the whole world.

Firefighting is very exciting, very exhilarating and very exacting work. I had the honour of trying it myself along with some other MPPs, MPs and city councillors in London some five years ago. You don't realize how true that statement is until you actually try going through smoke-filled rooms, going down into manholes and other places in order to, in our case, learn and in the case of the firefighters who actually do it, help the public.

I think the firefighters also recognize that this is very dangerous work. We know that in the most difficult way possible because every year or two in Ontario we do indeed lose a firefighter in the line of his or her work, as we did a few days ago in Barrie. I think the firefighters do it because they enjoy it, because they want to serve the public and because they are those kinds of people who want to make their community, their province and their country a better place in which to live. They do it, however, knowing the danger they face every day. They understand, each time they go to work, what the dangers are and the very difficult conditions they're going to face.

We have with us today in the gallery a number of guests I'd like to introduce to the House: Chief Milt Wilson, the president of the Ontario Association of Fire Chiefs and the fire chief for the city of Oshawa; Robert Kirkpatrick, who is a captain with the Mississauga Fire and Emergency Services and author of the book entitled *Their Last Alarm*; and also Mr Greg Colton, president of the Toronto Professional Fire Fighters Association. I

think we're going to be joined later by Mr Henry Watson, president of Ontario Professional Fire Fighters Association; and Fred LeBlanc, executive vice-president of the Ontario Professional Fire Fighters Association.

There probably is a reasonable consensus around the idea of a memorial to fallen firefighters. I think, however, the question does have to be asked, and appropriately answered, why this memorial should be in the precincts of Queen's Park. The answer to that question lies in the vision of the original creators of this building and this precinct. Their idea was that this building would celebrate and showcase who we have been as a people, celebrate and showcase who we are as a people and show our people what the great potential was for the future.

When the MPPs of the 1890s created this building, they got off to a very good start. The building of course now attracts many thousands of visitors, both from Ontario and elsewhere, every year. However, creating and achieving their vision is an ongoing process, and I would suggest to the House and to the people of Ontario that a key part of this precinct should be a memorial to fallen firefighters. They demonstrate the best qualities that we, as Ontarians, have. Surely a memorial to them would fit perfectly into what this precinct is about and should be about.

I'd like to emphasize that in proposing a memorial here, I am not in any way detracting from memorials elsewhere, particularly the one in Gravenhurst. This memorial is intended to complement all the other memorials to fallen firefighters in Ontario.

The proposal seems to have been well supported to date. I've had about 75 indications of support from across the province for this proposal. I was also very pleased to note in the throne speech that the government has agreed to support the proposal as well. I'd like to thank the new Premier of the province for that.

If this bill is passed, I'm going to ask that it go to the Legislative Assembly committee in order that that committee might receive public input. After that input, hopefully the bill might receive final passage.

The reason I suggest this is that I think there are some important issues with respect to this memorial on which we should hear the public's input. I'd like to suggest a few which would be of particular interest to me. Who, precisely, should be honoured? Should it be only those who actually died while they're on duty? Should it include those who contracted diseases because they were firefighters and their lives were shortened because of that? What should be the design of the memorial? What should be the location of the memorial? Whom should we call on to assist in the design of the memorial? Who should be responsible for the cost of the memorial?

The 21st century, more than any other, is going to be, and is, the century of communications. Surely we should include as part of what we communicate to ourselves and to visitors to Ontario something that indicates the best that Ontarians have been and can be.

**Mr Dave Levac (Brant):** I rise today, first to tell the people of Ontario why we're debating this bill and why

this bill has come before us in terms of the construction of the memorial itself. Unfortunately, we had to stand in the House this week to honour Bill Wilkins, a firefighter, only 32 years old, who was tragically killed in the line of duty. We lose more lives in this profession, firefighting, than in any other in Ontario.

I was very proud to ask for support of Bill 107, my bill, An Act to proclaim Firefighters' Memorial Day. I am proud to say that I've spoken with the members on the other side, and they supported that bill, and that bill became law back in 2001.

I have letters here that I probably could go through to explain clearly that back in August and September 2001 I had approached and asked the fire marshal and the government side, the minister at that time, David Tsubouchi, to support building a wall of recognition at Gravenhurst, where the memorial stands today. I basically was told that that memorial is there and that's what we do and that's what it's there for.

So I'm very proud of the fact that Dalton McGuinty and the Liberals had proposed this particular bill some time ago, and of the fact that we did get government support on the memorial day, that it was very acceptable. We're very pleased on behalf of the firefighters.

So I rise today to support the private member's bill that Mr Wood is putting forward. The building of this memorial will be centralized; it will be focused. I've been in contact with firefighters across the province and, generally speaking, all are in favour and they basically agree that this is something the people of Ontario should witness, that they should have an opportunity to honour those brave men and women who have given the ultimate sacrifice in the line of their duty.

I repeat again that this profession is the number one killer of its own people, because of their bravery and because of the things they have to do day in and day out: to sacrifice in order to protect. We're not talking property here; we're talking life. Many, many lives have been saved.

I also remind the government that during that time I brought to their attention the very important issue of funding for fire departments across the province and also for equipment needs across the province. My challenge is and will be—and somewhere down the line I know it's going to get done, and I'd love this government to take that lead—to make sure that every single fire department and absolutely every single community has access to, and is given by the province of Ontario, thermal imaging.

Thermal imaging is a lifesaver. Since the Scott pack, it's the best innovation for firefighting, bar none. You get to literally see in blackness. It has in my community—where I was very proud to sponsor and run a campaign that raised \$110,000 and we bought three thermal imagers for our fire departments, for each of the houses—saved lives. I had a firefighter friend of mine call me up and say, "You've done it." I said, "What to you mean?" "You've done it. We saved two lives today using the thermal imager. We were able to see."

Until that time, when the thermal imager was used, firefighters were using methods that were hundreds of

years old, where they would crawl on the ground inside a house and touch and feel their way through, room by room. Four minutes less, you can't save a life. A thermal imager can scan an entire room in seconds.

So my challenge would be to the government: it's a fantastic idea to honour our firefighters, but let's make sure they've got the equipment to do the job so we might not have to use this memorial as often as we do. I would say to you that we need to debate and discuss and ensure that the people of Ontario are protected by the wonderful work that our firefighters do.

In my closing seconds, I also want to make mention of the families of our firefighters. The firefighters don't necessarily want this. The firefighters don't necessarily even want a memorial day, but we must give them that. But what we really must do is to ensure that their families—their wives, their mothers, their fathers, their children—are appreciated and understood, that they know that that firefighter, every single day on the job, could give the ultimate sacrifice.

I'm asking for support for this bill. I'm asking for the government to step forward and say, "We understand the job, we appreciate the job, and now we're going to fund the job." Let's make sure we get a thermal imager in every single community in Ontario.

1110

**Mr Peter Kormos (Niagara Centre):** The New Democratic Party caucus supports this bill enthusiastically and supports the proposition that it go to committee; the Legislative Assembly committee is not an inappropriate one.

Minutiae around names that might or might not be engraved on the statue are but that—small details. I envision a monument that is a piece of statuary that is as bold and courageous as the women and men who serve in our firefighting services on a daily basis. I envision a monument that inspires members of the public who look at it, that draws their attention to it from as far away as possible, that is bigger than life because, yes, firefighters are bigger than life.

Earlier this week, we painfully paid tribute to a fallen firefighter. It was a painful experience that none of us want to repeat but one we know we'll be called upon to repeat. As I said earlier this week, it's a tragedy when any worker dies in the pursuit of his or her job, vocation or profession, but firefighting is a calling wherein the firefighter knows there is the inevitable risk of injury, disease or death. Every call that a firefighter is sent to carries with it that tragic potential.

As I also said earlier this week, firefighters like Bill Wilkins in Barrie remind us of our own shortcomings. The courage of firefighters, the courage of Bill Wilkins, the bravery, the commitment, the professionalism—because while others like us flee from danger, firefighters rush to it, and they do it for the single purpose of saving people's lives and preventing injury to victims of fire and so many other catastrophic situations.

I'm not by any stretch of the imagination advocating that firefighters no longer be called firefighters, but they



are far more than firefighters. Whenever there is a catastrophe, whether it's a motor vehicle collision, whether it's a natural disaster, whether it's the collapse of an arena roof or whether it's an attack by terrorist forces on a very public building, like in New York City, it's firefighters who are called upon and it's firefighters who respond.

They don't hesitate and pause and reflect on the element of danger that may or may not be present in a potential call or a potential scene. They don't have the time for that. Besides, it's not part of their job, not part of their consideration. So I, on behalf of New Democrats, look forward to this monument.

The monument has got to be more than a piece of brass or steel or iron or marble. The monument must be so imposing that it serves as a constant reminder to us—all of us, quite frankly, as taxpayers—that we had better be prepared to invest in the women and men who serve every community in this province, who serve every member of every community in this province; that we shouldn't expect our firefighters to go out there with broken or obsolete tools; that we shouldn't expect our firefighters to respond to a call with anything less than the most complete training that could be provided, whether it's big-city fire services or small-town fire services; and that we shouldn't expect our firefighters to serve in understaffed firefighting services. We shouldn't call upon our firefighters to earn less than a decent salary proportional to their training, to the task they perform and to the danger they encounter. That means we've got to make those choices, we've got to make those decisions. I, for one, would be pleased to see my tax dollars invested in firefighters and in firefighting services.

It's labour-intensive, no two ways about it. At the end of the day, all the technology in the world, the slickest high-tech gadgetry, can't replace or make obsolete the personal attributes that every woman and man in firefighting services possesses and has nurtured by virtue of their training and experience. It's a labour-intensive job. It's a labour-intensive service. It's about people. It's about special people. It's about people who are bigger than the rest of us. It's about people who are braver than the rest of us. It's about people who are more committed than the rest of us.

So that monument had better be within the realm of Queen's Park. Why? If only because it's Queen's Park that attracts those huge numbers that have been spoken of and we want as many people, be they Ontarians or other Canadians or visitors to this country, to see that monument to our firefighters.

That monument has to be a monument not only to firefighters who have died in the course of performing their duties but, as importantly, a monument and a tribute to the firefighters who continue to serve us. That monument has to be an inspiration to all of us to ensure that we make the kind of investments that firefighters deserve and need, and that monument should be a statue of such magnificence that it serves as some solace to the

mother of Bill Wilkins. That monument has to be so grand that it serves as some comfort to the brothers of Bill Wilkins in Barrie. That monument has to be so overwhelming that it helps ease the grief of the young fiancée, wife-to-be, of Bill Wilkins, yes, for years to come. And that monument has to say to firefighters still performing their duties, every one of them risking that tragic fate, that their community appreciates them, that their community respects them, that their community acknowledges their special skills and their special commitment.

It's not inappropriate that joining me in speaking to this on behalf of New Democrats will be Michael Prue, because he will be a member of the Legislative Assembly committee and considering the bill when it reaches that committee. He is from big-city Ontario. I'm from small-town Ontario.

1120

**Mr James J. Bradley (St Catharines):** Small town?

**Mr Kormos:** I come from places like Thorold, Pelham, Thorold South, Crowland and Welland, where people still leave their doors unlocked.

I come from a community that has some of the best firefighters in this province, in this country. I come from a community that has seen firefighters nurtured generation after generation. I come from a community where my good friend Henry Labenski, succeeded his father as a professional firefighter. I remember his father well, Jack Labenski. Jack lived on Wallace Avenue, but two blocks away from the small old Crowland fire station, near Lyons Avenue. We could hear the sirens wailing and Jack Labenski would be rushing that two blocks to the fire hall to get that truck going. The firefighters would be donning their coats and their hats as the truck was already wheeling out of the station—just a small station, as small as any could be. But Jack Labenski, who was a big man in so many ways, also gave us two sons who are incredibly skilled, competent, professional and committed firefighters. John, now retired, is a former chief. Henry serves his community and also serves his fellow firefighters in his role in the association.

So this monument is going to be a tribute to the fallen, to those firefighters whose lives have been stolen from them by the dangers of firefighting, but it's also going to be a tribute and a monument to the living. It will remind us on a daily basis that among us in our communities, in our neighbourhoods, in big cities and small towns, live heroes, firefighters who save lives and protect people, who save kids, who save grandparents, who save spouses and brothers and sisters, and who make our communities a far better place.

**Mrs Margaret Marland (Mississauga South):** I consider it a privilege this morning to be able to rise in support of Bill 113. The fact that this is an act to honour our firefighters who have died in the line of duty is so important to all of us in this province. There is an irony, of course, that this week we have lost Bill Wilkins, another firefighter. The bravery of all of the men and women who serve in that very highly specialized profession is something of which we are all in awe.

We in Mississauga have just honoured our firefighter of the year. This is an annual event when we honour both our firefighter and our police officer of the year. I've always felt that it was very little for us to do in return for the courage and the bravery with which both police officers and firefighters enact their responsibilities for our protection. In this case, in Mississauga, actually on an evening in September of last year, a young woman who was unconscious in a basement apartment tucked away in the back, in a small washroom, was rescued by two individual firefighters. But I think what is so significant about this award and recognition in this particular incident is the fact that not just the two who went in to rescue, resuscitate and save this young person were recognized but also the two crews who worked on that event. From my observations of the firefighting that we read about on an almost daily basis in all our media, and certainly the enormity of the 9/11 tragedy, it only works because firefighters are always a team.

When we talk about having a permanent memorial, it is going to be a marvellous, tangible thing. It will represent for everyone in a tangible way the fact that these people risk their lives every time they go to protect people who are in danger from a fire.

In Mississauga, the firefighters of the year were Captain Allan Thompson, Firefighter Gerald Lacasse, Firefighter Peter Perrone, Firefighter David Middleton, Acting Captain John Hill, Firefighter John Watts, Firefighter Edward Nelson and Firefighter Larry Jackson.

Their courage resulted in the saving of one life. They are the exemplary role models for all people who work in that service and for us, as citizens, who are the beneficiaries. I believe this memorial will remind all of us of the fact that that is part of their job and part of their responsibility that they are willing to do on a daily basis—day in, day out, year in, year out.

My privilege again is to say thank you on behalf of my constituents of Mississauga South to all the men and women who serve as firefighters in this province and to extend to all of the families whose lives have been affected by the loss of a loved one in that service my deepest sympathy and all our ongoing support.

**Mr Bradley:** I am privileged to participate in this debate and to indicate my strong support for the bill that is before the House today, which will provide appropriate recognition and honour firefighters who are unfortunately and tragically killed in the line of duty.

There aren't many jobs in our society that are such that when you leave your own home, your family and those close to you to go to work, you are actually placing your life on the line. This is certainly true of those who are involved with our fire departments across the province of Ontario, because they are dealing, almost invariably, with dangerous situations where the lives of others are on the line and where there are individuals who are injured.

I think also that with the advent of the 911 number in many places in the province—probably in most places now—we find that it is firefighters who are there first on

the scene, whether it's for a fire or a medical emergency or some other circumstance that is considered to be an emergency.

I know the danger that these firefighters place themselves in. Many of them are personal friends of mine who have related stories about having to rescue others in many cases, having to go into a home where there are children who have been killed, and then go back home with sadness and dire memories, try to sleep and try to keep their own lives going. I've known individuals who have had to extract kids they knew from a car in an accident, kids who unfortunately didn't make it. So it's a very serious occupation.

1130

It's a good group of people who are involved in our community. Our firefighters are invariably involved in community organizations. Our volunteers so often are involved in charitable activities, as well as being involved in those things that are in their line of duty.

With new chemicals that they face, with new kinds of structures that they deal with, they indeed place themselves in danger each and every time they go out on a call.

This memorial came to mind this week particularly when we learned of the death of Bill Wilkins, a 32-year-old individual, a person in the prime of life who, while doing his job as a firefighter, lost his life.

I believe we owe it to firefighters in our province, and I know those in St Catharines would agree with me—because we have an excellent fire department and great firefighters in our community—that this is appropriate and the location is appropriate, in the Queen's Park area, where the public can see it, where the public comes together, just as we have a police memorial here at the same time.

I am pleased to be able to support this legislation. I hope it will move quickly. I hope we'll see the memorial there. And I hope each year, when a special day is set aside at that memorial, that indeed all of us will be part of that memorial service.

**The Acting Speaker:** Further debate?

**Mr Michael Prue (Beaches-East York):** I too rise to support this memorial. It too is an idea whose time has come.

We are committed to the men and women who work in the fire services in all of the municipalities of this great province. We are committed to what they do and understand only too well the risks that are involved each and every day when they go to work.

The memorial is essential. It is essential to honour those who have died and paid the supreme sacrifice for protecting us all. But it is also important for those who live, for those who must go back to work the next day. I think of Bill Wilkins, but I also think of his brothers and sisters in the fire hall who are back at work today. They have lost a colleague and a friend but they are back doing what they need to do to protect the residents of Barrie. We need to remember always not just those who have



died but those who go on to fight fires, those who go on to protect people.

We need to commit ourselves as a province and we need to commit those who work in municipal government to constantly be vigilant to do the very best we can for those men and women. Of course they need the best equipment, but they also need understanding. They need the understanding of municipal officials of the dangers they encounter every day. They need understanding of the stresses of their job—not just the dangers of the job but the stresses of shift work, the stresses of being away from family, the stresses of danger and the stresses and the very real dangers of going into fires and going into places where there are carcinogens. We need to understand and make commitments to them, just as Manitoba has recently done, that this is a dangerous job and if you do it for long enough, you're likely to develop forms of cancer that other people will not, and we need to be able to compensate and look out for that.

We need to recognize their community involvement. We need to recognize that the firefighters were among the very first Canadians to simply go to New York. They didn't ask; they weren't asked; they simply went there. They knew their duty.

We need to compensate them for a very difficult job. They do so much more than fight fires. As has been said, they are the first ones on the scene of literally any accident. They have a commitment in this great city of being there within four minutes, and they make it nine times out of 10.

I am honoured to stand here and support this memorial. We support it not only for those who have died and undoubtedly for those who will, but for those who continue to do what—

**The Acting Speaker:** Further debate?

**Mr Wayne Wettlaufer (Kitchener Centre):** It's an honour to be able to stand here and support this bill. I want to thank my friend and colleague Bob Wood, who has brought forth Bill 113, An Act to honour firefighters who have died in the line of duty. It sounds like I can congratulate him, even though it hasn't already passed, because he has received support from all sides of the House.

We are grieving the loss this week of Bill Wilkins, a firefighter who died in the line of duty in Barrie. The Toronto Sun so aptly described it yesterday when they said, "Firefighters grieved ... as they stood outside the charred and blackened home where firefighter Bill Wilkins died while trying to stop the home from burning to the ground." The scene describes reality.

But it's not just firefighters who die in the line of duty that I think we need to pay some attention to, and I would hope that Mr Wood would be amenable to an amendment in committee. I had a very good friend, a childhood friend, who died a young man in his 30s. His name was John Divo. He died as a result of contracting cancer while fighting a chemical fire in the city of Kitchener. At that time it brought home to me, even though I knew from my exposure in the insurance business what a

dangerous job firefighting was, much more clearly what a dangerous job it was when someone could contract an illness a couple of years subsequent to fighting a fire. We miss his smile, his laugh, as the families of the firefighters all around this province do.

The time has come to ensure that the heroism and dedication of firefighters like Bill Wilkins and John Divo and other firefighters who have lost their lives be recognized, because they make our lives safer.

It's ironic that the bill has been brought forward for second reading today, because this is the day that we recognize the heroism of the firefighters in New York.

The time has long passed to establish this memorial in the Queen's Park precinct to honour these outstanding men and women who have been at the front lines of protecting our communities. Their bravery, their skill and their dedication under extreme conditions have saved countless lives with very little attention to their own.

The firefighters' memorial is a small yet very symbolic manner though which we can say thank you to those firefighters who have made the ultimate sacrifice.

1140

**Mrs Sandra Pupatello (Windsor West):** Our caucus, I think, is very prepared to support this bill, like we were all here to support the member for Brant's bill when we spoke about memorializing those firefighters who have died in active duty.

I say to the members of the firefighting service who are here today—the chiefs, the members of the professional firefighters association represented here in the House today—this is what I want: I'd like to see all firefighters die of old age. I think most people want to see firefighters die of old age. Unfortunately, it's not the kind of profession where that happens. As this government may well put a shovel in the ground to start building a memorial, I'd like to see the numbers of people who have to be memorialized less in every year. That is only going to happen when direct action is taken to help the real issues that firefighters face, and that people like Henry Watson, representing thousands of them, come forward to the government with every day. Namely, there are health and safety issues. There are families of stricken firefighters with brain cancer, all of those firefighters who were fighting the same fire in a certain area suddenly being afflicted with brain cancer, and here are these families going begging to the Ministry of Labour to have that designated as a work-related illness. Why would these families have to go begging for something that seems so obvious to the rest of us?

One of our colleagues in the House brought forward a bill that actually encourages more use of volunteer firefighters, so-called part-timers who are paid up to \$28 an hour—directly opposite to this team approach that your own colleague just spoke about in the House today.

We have real issues that firefighters face, be they those kinds of work issues or health issues, that with each shovel in the ground, as we build this memorial, this government has an obligation to resolve the real issues. Cynics out there may see this memorial as just more pap

or pabulum being served to try and pacify the firefighters. "Look what we've done for you: we've built you a memorial to all those who died in the line of duty." But what we see every day, in our own communities, are real issues that firefighters deal with, that their representatives have come to us on a regular basis on since I've been in this House—real issues that deserve attention. If this government is serious about memorializing firefighters with every shovel that goes into the ground, they'll deal with the real issues that firefighters face.

**Mr John O'Toole (Durham):** I first want to start by saying that my approach would be more respectful. I would like to recognize again those present here, the association president of the chiefs of police, Chief Milt Wilson, who's actually from Oshawa, very close to my riding, and Henry Watson and Fred LeBlanc and Robert Kirkpatrick as well as Greg Colton, president of the Toronto Fire Fighters Association.

We know there are lots of issues in every sector. I think today, this morning specifically, is about respecting and paying respect to the initiative here brought on by Bob Wood in his private member's bill, introduced October 18, 2001, and, I might say as well, with respect to the work done by Dave Levac from Brant on this. I'm very confident that all members will support this. That's what this is about. Of course there are a lot of other issues.

It's my privilege to represent the riding of Durham, and it's not just about my riding; it's about firefighters and respect for them this morning. It's my experience that firefighters are respected both for their community commitment as well as their professional commitment to their community.

Last year in the House, you may recall, I paid tribute to the Scugog fire department's auto extrication team that finished third overall at the international fire extrication competition. They were led, of course, by District Chief Dave Ballingall, and he was their coach as well. Chief Richard Miller from the Scugog group, as well as Deputy Chief Rob Gonnermann, were part of that team. I know the community was proud of them and supported them, and that's what this is about. It's a celebration of people who give not just to their community but, in many unusual circumstances, give of their lives.

I also want to look at my riding in terms of Clarington. It's a great community under the leadership of Chief Mike Creighton, as well as the members that I run into in regular course of business: Sheila Roman and Gord Weir and Bill Reid of the Clarington fire department, responsible for a project last year raising \$30,000 to assist local charities. Of course, the very successful program that they have is called the junior firefighters' program. It's a very successful program.

I like to think that part of the work that's outside of their fire duties, fire prevention and those difficult duties—they also contribute enormously to the Muscular Dystrophy campaign each year. I know the firefighters in my community of Clarington and Scugog are part of a team raising in excess of \$2 million.

I also want to say that we are investing additional training for police and firefighters and front-line emergency workers. This monument is a tribute to all of those who have given the supreme sacrifice, but also to those who have to get up every day and face the risks to their own lives and their families worrying. Unfortunately, the occupation of firefighting is extremely dangerous. While we must make every effort to protect front-line emergency workers, tragedies occur, and in all respects we should work together to find solutions to put an end to that.

My reason for supporting Bill 113 is because I'm confident that it has the support of firefighters, their families and, more specifically, the people in my riding. They want to say thank you and they want to make that a permanent monument of thanks.

In Clarington, Grant Bradley is the president of the Clarington Fire Fighters Association, local 3139. He's among the community firefighters who support this proposal. Just this morning I read in the paper that on the weekend there was a blaze at Kirby on Highway 115. Captain Robert Payne was quoted in that article as being on the site to make sure that there was no risk to life and property.

But it's about real people. I conclude here by quoting from the speech from the throne: "We must not forget firefighters who have lost their lives ensuring people's safety. This year, your government will work with the fire services community to create a firefighters' memorial on the grounds of Queen's Park." I am pleased to lend my support to the bill.

In conclusion, this is not only in response to September 11 or the untimely death of Bill Wilkins, but for those who continue to fight and put their lives at risk on our behalf.

I go back to the comments made by the member from Windsor. There are issues, and I respect that. I believe that Minister Runciman is prepared to continue his work in support of those emergency service workers—police, fire, ambulance and all of the emergency routine—so that we strengthen the training with the commitment to the college and the profession itself.

This monument is what we're talking about this morning, and I call on all members on all sides of the House to drop the rhetoric, support the bill and work together to pay respect to the firefighters who give on a daily basis to the citizens in their communities at great sacrifice to themselves personally and to the members of their families. I say thank you on behalf of the Ernie Eves government. The private member's bill by Bob Wood sums it all up. Please support it.

**Mr Dominic Agostino (Hamilton East):** I rise in support of this bill. I want to welcome the firefighters who are here, in particular Henry Watson, who happens to be one of my constituents. I'm pleased that he is here, along with the other chiefs and gentlemen.

Certainly this is a very important bill. Every profession has its risks, every profession has difficulties, but there are certain professions where that risk is much



greater. Every call you respond to, every emergency situation, every fire has the potential danger for great physical harm, or, as we have seen tragically in Ontario with Bill Wilkins, for loss of life.

Firefighting is a very special profession. It's a unique profession. I remember being in New York City at Ground Zero. From everything I saw, the most moving and most difficult part for me was seeing the temporary tribute that had been set up for fallen firefighters, seeing the notes from the kids of these firefighters who never came back home, seeing the teddy bears with pictures of their kids, seeing kids writing, "Dad, I'm never going to be able to play baseball or catch a football with you again." It just brought home in a stark, real sense what these courageous women and men face every day as part of their job.

I remember walking by a small fire station in New York City where they had a memorial outside. That fire station had 30 people in it; 15 of those died that day from that one fire station. That's the reality that our firefighters in this province face every single day. These are the people who are first on the scene of an accident, a chemical spill, a fire at an industrial plant, not knowing what chemicals or dangers they're facing. These are the folks who, as people are trying to escape a burning building, are going into the building, trying to save lives.

I think it's appropriate that we honour the sacrifice, that we honour the work they do. Firefighters across Ontario deserve recognition because of the work they do. It's always a very sad occasion, as we saw this week with Bill Wilkins, when one of those individuals—and it really is a brotherhood and a sisterhood. There's a bond among firefighters. When one dies on the job, as Mr Wilkins did, every single firefighter in Ontario feels that a part of them has died, that one of their family members has passed away.

1150

It's important for us to recognize that with this memorial and this tribute. There's nowhere more appropriate than right here outside of this Legislature to have a permanent memorial. We have the memorial to police officers. When you walk by, you can't help but notice and stop and look and think for a minute or two about the sacrifice those people are out there making every day and the risk they're taking. When they come home at the end of the day to their family, their kids, their brothers and sisters, their moms and dads, I think they really appreciate the fact that they were able to go home that night at the end of their shift. Unfortunately, not everyone does that. Tragically some of these people didn't get a chance to go home to their family at the end of their shift.

It's appropriate for this Legislature to unanimously support this. I want to thank Mr Wood and Mr Ouellette for the work they've done on it.

**The Acting Speaker:** Response.

**Mr Wood:** I'd like to thank all the members who participated in the debate, both for their participation and for their support. I'd like to assure members that I at least

am open to any ideas that may come forward at the committee hearing.

I would like to indicate to members that I share the ambition of the various members who spoke that this be the best memorial possible. That's easy to say, but it's really the hard part. Frank Lloyd Wright, the great architect, used to say, "The most difficult thing about architecture is to eliminating everything except the most essential." That really is what we have to do when we undertake a project of this nature. The input we get is going to be very key for us to be able to give direction and to achieve the kind of memorial that the fallen firefighters deserve and that the people of Ontario deserve.

I would like to ask all MPPs to assist in spreading the word that this fall there is going to be a legislative hearing and ideas are going to be solicited. I've had indications from a number of people already that they want to come forward with ideas, either by way of presentation or in written form. I hope we'll invite every Ontarian to come forward and give their ideas. If we do that, we can be reasonably assured of doing the best possible for our fallen firefighters and for our citizens as a whole.

I would like to suggest as well that it's important that this project not get lost in the great rush of business we always have before this Legislature. I would like to invite all of us to commit ourselves, hopefully publicly, to actually having this memorial done one year from today, so that on May 30, 2003, this memorial will be here in the precincts of this Legislature at Queen's Park.

**The Acting Speaker:** This completes the time allocated for debate on this matter.

#### TOMMY DOUGLAS ACT (PATIENTS' BILL OF RIGHTS), 2002

#### LOI TOMMY DOUGLAS DE 2002 SUR LA DÉCLARATION DES DROITS DES PATIENTS

**The Acting Speaker (Mr Michael A. Brown):** We will now turn to ballot item number 45. Ms Martel has moved second reading of Bill 27, An Act to promote patients' rights and to increase accountability in Ontario's health care system. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. We will take this division following dealing with ballot item number 46.

#### FIREFIGHTERS' MEMORIAL ACT, 2002 LOI DE 2002 SUR LE MONUMENT COMMÉMORATIF EN HOMMAGE AUX POMPIERS

**The Acting Speaker (Mr Michael A. Brown):** Now ballot item number 46: Mr Wood has moved second reading of Bill 113, An Act to honour firefighters who

have died in the line of duty. Is it the pleasure of the House that the motion carry? Carried.

**Mr Bob Wood (London West):** On a point of order, Mr Speaker: I'd like to ask that this matter be referred to the Legislative Assembly committee.

**The Acting Speaker:** Agreed? Agreed.

## TOMMY DOUGLAS ACT (PATIENTS' BILL OF RIGHTS), 2002

### LOI TOMMY DOUGLAS DE 2002 SUR LA DÉCLARATION DES DROITS DES PATIENTS

**The Acting Speaker (Mr Michael A. Brown):** Call in the members. There will be a five-minute bell to deal with second reading of Bill 27.

*The division bells rang from 1155 to 1200.*

**The Acting Speaker:** Ms Martel has moved second reading of Bill 27.

All those in favour will stand and remain standing until your name is called.

#### Ayes

Agostino, Dominic	Elliott, Brenda	Molinari, Tina R.
Arnott, Ted	Flaherty, Jim	Munro, Julia
Baird, John R.	Galt, Doug	Mushinski, Marilyn
Barrett, Toby	Gerretsen, John	Newman, Dan
Bartolucci, Rick	Gilchrist, Steve	O'Toole, John
Beaubien, Marcel	Gill, Raminder	Parsons, Ernie
Bisson, Gilles	Hardeman, Ernie	Peters, Steve
Bountrogianni, Marie	Hastings, John	Phillips, Gerry
Boyer, Claudette	Hodgson, Chris	Prue, Michael
Bradley, James J.	Hudak, Tim	Pupatello, Sandra
Bryant, Michael	Johns, Helen	Ruprecht, Tony
Caplan, David	Kells, Morley	Sampson, Rob
Churley, Marilyn	Kennedy, Gerard	Sergio, Mario
Clark, Brad	Kormos, Peter	Smitherman, George
Clement, Tony	Levac, David	Spina, Joseph
Colle, Mike	Marchese, Rosario	Sterling, Norman W.
Conway, Sean G.	Marland, Margaret	Stewart, R. Gary
Crozier, Bruce	Martel, Shelley	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tsubouchi, David H.
DeFaria, Carl	Maves, Bart	Wettlaufer, Wayne
Di Cocco, Caroline	Mazzilli, Frank	Wilson, Jim
Dombrowsky, Leona	McDonald, Al	Witmer, Elizabeth
Duncan, Dwight	McMeekin, Ted	Wood, Bob
Ecker, Janet	Miller, Norm	Young, David

**The Acting Speaker:** All those opposed?

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 72; the nays are 0.

**The Acting Speaker:** I declare the motion carried. Pursuant to standing order 96, this matter will be referred to the committee of the whole House.

**Ms Shelley Martel (Nickel Belt):** On a point of order, Mr Speaker: I'd like the bill referred to the standing committee on finance and economic affairs.

**The Acting Speaker:** Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Please be seated.

All those in favour of the referral will stand and be counted.

All those opposed will please stand.

A majority is not in favour of the referral. Therefore the bill is ordered to committee of the whole House.

This completes the business before the House during private members' public business. The House will resume sitting at 1:30 of the clock.

*The House recessed from 1204 to 1330.*

## MEMBERS' STATEMENTS

### CONSERVATION AUTHORITIES

**Mr James J. Bradley (St Catharines):** Part two of the Walkerton report, released last week, reveals the drastic mistake that Premier Ernie Eves made when he was Minister of Finance in slashing the overall budget for Ontario's 36 conservation authorities by a damaging 70%.

In January 1996, the Conservative government, in its infamous, massive omnibus bill, Bill 26, limited the mandate of these authorities and facilitated their dissolution and the sale of their lands.

Justice O'Connor has recommended that conservation authorities play a central role in the protection of groundwater supplies, but these organizations can do so only with a substantial investment of funding in their operations.

The damaging cuts by Ernie Eves have severely restricted authorities in their efforts to carry out their full mandate. I call upon the government to restore immediately the funds that were mindlessly chopped in 1996. At a time when the Eves government has spent over a quarter of a billion dollars on self-serving partisan advertising and is providing a tax gift of \$2.2 billion to their corporate friends, surely they can afford this investment in environmental protection.

The commission recommends an investment of up to \$48 million for groundwater studies that can be undertaken by utilizing the expertise of such bodies as the Niagara Peninsula Conservation Authority.

I agree with the commissioner when he says, "I support capacity building among conservation authorities, and the MOE should provide assistance in this area."

### INTEL INTERNATIONAL SCIENCE AND ENGINEERING FAIR

**Mr John Hastings (Etobicoke North):** I have a statement today dealing with the international recognition of students who are involved in the Intel International Science and Engineering Fair.

Today I would like to proffer outstanding recognition and congratulations to Ontario students who competed at the Intel International Science and Engineering Fair, con-



sidered the Olympics of science fairs, which was held recently in Louisville, Kentucky.

Thirteen Canadian students, aged 14 to 18, collected nearly US\$700,000 in prizes and scholarships. They competed against 1,200 students from 40 countries, winning nine grand awards and six first-place titles.

The science fair winners from Ontario, which includes a University of Louisville scholarship award recipient, are:

Ms Eva Vertes, 17, of Dundas. She won a university scholarship for her project which studied the inhibition of programmed cell death by purine derivative RPI-069. This study offers a potential treatment for Alzheimer's disease.

Spencer Hughes, 16, of Timmins advocated the concept of turning abandoned mines into power generating stations, even going so far as to use bioleaching to extract residual gold that was originally missed.

Three other Ontario students from Toronto won recognition for their accomplishments, including the eventual creation of nanorobots.

Crystal Pinto, 18, won a fourth-place award in microbiology. Another student won a third-place award in medicine and health with his project designed to deal with computers and biology.

Finally, I would like to salute these science fair winners because they are the future pathway of innovation and advancement for Ontario and Canada. By fostering and challenging these young minds, what they could do is limitless.

### ITALIAN NATIONAL DAY

**Ms Caroline Di Cocco (Sarnia-Lambton):** June 2 has a special significance to Italians around the world. In the national referendum of June 2, 1946, the people of Italy voted to abolish the monarchy, establish a democratically elected assembly and create a republic.

This new constitution drafted by the elected assembly guaranteed the right of Italians to self-determination, freedom and dignity of existence. This step made Italy a staunch democracy, a leading industrial nation, a founding member of the European Union and a vital strategic partner in NATO. Tomorrow evening, the Italian consulate is hosting a reception to celebrate this history.

Canadians of Italian origin are one of the largest immigrant groups to settle in Canada. This has had a significant impact on the cultural, political and economic sectors in this country. In the early 1950s, Ottawa entered into a bilateral agreement with Rome to foster and process large-scale Italian immigration to Canada. There followed an aggressive Italian labour recruitment for the Canadian market. The year 1958 saw Italian immigration to Canada surpass the number of British immigrants to Canada. This historic celebration is significant to the heritage of Canadians of Italian origin.

### DAVE BROADFOOT

**Mrs Julia Munro (York North):** I rise today to talk about a recognized Canadian tourism attraction. He has earned a multitude of awards, including the Lifetime Achievement 2000 and Canada's Comedy Hall of Fame. He is a Juno Award winner and a Gemini Award nominee. He has performed for the Queen, has been on the Ed Sullivan Show and has ongoing guest appearances with the comedy troupe he co-founded, the Royal Canadian Air Farce. He is that great icon of comedy, Dave Broadfoot.

Canada's ambassador of laughter is returning to the Red Barn Theatre, in my riding of York North, on June 6, 7 and 8 at 8 pm. After 50 years of writing and performing his own special brand of humour with his legion of characters, Mr Broadfoot still delivers a performance that leaves his audiences roaring with laughter. Dave's First Farewell Tour explores topics that audiences are most concerned with, from world events to the basic frustrations of daily life.

Fans are advised to get their tickets early for this show or any other show throughout the summer series. Enjoy the show and visit Canada's oldest professional summer theatre, the Red Barn, on the south shore of Lake Simcoe. Fans can contact the Red Barn at 905-722-3249 or 1-888-RED-BARN.

### EMERGENCY SERVICES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Ontario hospital emergency rooms continue to experience serious pressures because of a lack of resources. It is regrettable that the Quinte Healthcare Corp has had to issue zero tolerance toward aggressive behaviour in the emergency ward. In yesterday's news release, the corporation states, "Aggressive behaviour and coarse language will not be tolerated.... Hospital security personnel and the police have been and will be brought in to deal with any aggressive individuals, and charges will be laid in situations that put our staff, patients and family members at risk."

Certainly aggressive behaviour of any kind is completely unacceptable. However, the need for this policy begs the question, why is it that people are increasingly moved to acts of aggression in emergency rooms? Perhaps it is because they've had to wait for hours on end in an ER because they cannot find a family doctor, or because a parent can no longer bear to sit in a waiting room while their sick child suffers in fever and pain, or maybe because a senior loved one has been lying in misery on a gurney in a hallway for days, with no privacy, before getting a bed.

Emergency rooms in Ontario have become battle zones where patients struggle with illness, and they, their family or friends are literally beginning to fight for the medical attention and service they deserve. Sadly, this is the legacy of the Tories' health care policy.

## INJURED WORKERS

**Mr Peter Kormos (Niagara Centre):** Saturday, June 1: Injured Workers Day. Thousands of injured workers from across this province are going to be rallying here at Queen's Park, beginning at 11:00 am. Injured workers, women and men, from every conceivable workplace in this province have been misserved, to say the least, by this government. Their rallying cry is, "Justice for injured workers," and they're here not only fighting for the rights of injured workers; they're fighting for the rights of all workers. They're condemning a government and its policies that would contribute to yet more workplace deaths, homicides, slaughters, mutilations and poisonings.

The Tories' agenda of a longer workweek, the Tories' agenda of fighting and defeating unions at every step of the way, the Tories' agenda of maintaining the minimum wage at the stagnated level of \$6.85 an hour, the Tories' elimination of the requirement of on-site labour inspector workplace inspections; and the blank cheque that this government has written to the corporate interests, their close friends, with huge corporate tax cuts, all being paid for on the backs of workers, all workers, and particularly injured workers.

Trade unionists will be joining those injured workers, people of justice and generosity will be joining them, and of course New Democrats will be there on Saturday, June 1, at 11 am at Queen's Park, Injured Workers Day.

1340

## TRAFALGAR MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I'd like to pay tribute today to the brave and courageous citizens of Oakville who belong to an organization called Oakville-green, who for four years have blocked the bulldozers from paving the Trafalgar moraine. These brave citizens, against all odds, have so far been successful in stopping the Trafalgar moraine from being paved over. But unfortunately last night at Oakville council, the majority of council voted in favour of developing the Trafalgar moraine. Now, there were five members of Oakville council who had the guts to stand up to the development industry and say no last night. Unfortunately, the majority of Oakville council last night caved in to the developers and paved the way for over 55,000 people to be housed on this precious, natural green corridor.

This corridor, as you know, is filled with forests, natural streams, rare species of birds like the red-shouldered hawk and other fabulous natural species.

This provincial government can no longer stand on the sidelines supporting developers and allow this natural watershed to be paved over. This provincial government can no longer just talk about smart growth, talk about stopping sprawl; it's got to do something to protect this moraine in Trafalgar. We need to protect it, just like we protected the Oak Ridges moraine. We can't wait three years before this government moves, like we had to wait

before they recognized the Oak Ridges moraine. We need the Trafalgar moraine protected now.

## HEALTH CARE

**Ms Marilyn Mushinski (Scarborough Centre):** As parliamentarians, we are typically involved with the issues of the day that face us. Some might accuse us of lacking an historical perspective. That is why I am rising to speak today.

Comparing the actions of government today with those of the past lets us know whether or not we are making progress as a society. In terms of my riding of Scarborough Centre, I would suggest that such a comparison shows that great strides have been made in providing better health care to the residents of Scarborough Centre.

From 1985 to 1994, I served as a member of the board of governors of Scarborough General Hospital. During that time, numerous pleas were made to the provincial government for the local provision of services like renal dialysis. And no wonder—at that time, patients were required to travel to Oshawa or downtown Toronto several times a week, in good weather and in bad. That was then, when Ontario endured 10 lost years of Liberal and NDP rule.

Compare that sad state of affairs to today. Now my constituents enjoy the convenience of two sites in Scarborough Centre for their dialysis treatments. By comparing the actions of the current government with past governments, we learn a valuable lesson. The Eves government is clearly doing far more to address the health care needs of Ontario's citizens than did both the Liberals and the NDP.

## MEMBER'S PRIVILEGE

**The Speaker (Hon Gary Carr):** Yesterday the member for Beaches-East York gave me notice of his intention to raise a point of privilege relating to his dealings with the National Advertising Standards Council. The member subsequently provided me with additional material, which I have now reviewed. I want to advise the member that I stand by my remarks yesterday in which I emphasized that members' peripheral, subsidiary duties as a people's representative, as opposed to their primary duties as a legislator in this chamber or a committee, cannot normally give successful rise to a valid point of privilege. The situation of which the member complains involves a civil federal regulatory body and the rules it applies in adjudicating public complaints about advertising. In no way does this agency's treatment of the member equate to a violation of his privileges, and specifically his freedom of speech, as the member contends. His freedom of speech is not absolute or unrestrained. It applies to his work as a legislator in the conduct of parliamentary business, but not beyond that to advocacy or representative roles unrelated to the business of the House.



I therefore reiterate my finding of yesterday that a prima facie case of privilege has not been made out by the member for Beaches-East York.

### CONSIDERATION OF BILL 58

**The Speaker (Hon Gary Carr):** I beg to inform the House that pursuant to standing order 69(b), the House leader of the official opposition, the member for Windsor-St Clair, has notified the Clerk of his intention to file a reasoned amendment to the motion for second reading of Bill 58, An Act to amend certain statutes in relation to the energy sector. The order for second reading of Bill 58 may therefore not be called today.

### VISITORS

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: We have very special guests in the gallery today from Brant-Haldimand-Norfolk Catholic District School Board. The teachers are Charmaine Hanley, Kerry Davidson, Lianne Chopp, Sherry Wensil, and the bus driver, Lori. They bring to us very special students from Brant to learn about our parliamentary procedures and our behaviour in this House. This special class that has been established is very appropriately here to watch the workings of this fine place and this institution. Their principal, Dom DiBartolomaio, is a very good friend of mine and actually put the class together and coordinated this very unique class. Thank you for being here.

### JACK WILKINSON

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: I'd ask all members to join me in congratulating Jack Wilkinson, who was today elected president of the International Federation of Agricultural Producers.

### WORLD CUP SOCCER

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** On a point of order, Mr Speaker: As I understand, the members' statement time is over, is it? We haven't done all of them. I didn't get my turn.

**The Speaker (Hon Gary Carr):** Just a quick second and I'll see what happened at the table. Maybe what I could do is ask for consent. I thought we'd been through it, but apparently we didn't. Unanimous consent for the member's statement from the member for Bramalea-Gore-Malton-Springdale? Agreed.

**Mr Gill:** Thank you, Mr Speaker. Many proud and loyal Bramptonians and Ontarians with roots in England, Italy, Germany, Brazil, Denmark, Spain, Ireland, Slovenia, Paraguay, Sweden, South Africa, Costa Rica, Poland, Croatia, Russia, Argentina, Nigeria, South Korea, Japan, Portugal, Uruguay, Turkey, Cameroon and France, as well as Canada, are waiting with anticipation for the beginning of the soccer World Cup.

As of 7:30 am Toronto time tomorrow this great series will start and run for 30 consecutive days, dominating our televisions. While Canada's own national team is not in the series, unfortunately, the passion for this beautiful game runs deep.

During the 64 games, passionate soccer fans will bring Ontario's multicultural neighbourhoods to life. Thousands of fans sporting their team colours, wearing flags and blowing horns will flock to neighbourhoods such as Little Italy and Little Brazil to cheer on their teams. We should not be surprised to see the national flags of many of these teams being flown across our province as fans proudly display their support. World Cup soccer brings out the best in our province.

During this time of celebration I would like to extend best wishes to the fans and their teams competing for this most coveted prize: soccer's World Cup.

Thanks to the members.

**Mr Rosario Marchese (Trinity-Spadina):** On a point of order, Mr Speaker: Following on the heels of that unanimous consent, I too ask for unanimous consent, given what he just said, that we the House resolve to find a way to make sure that people are able to watch World Cup soccer in those bars—

**Mr Tony Martin (Sault Ste Marie):** Licensed places.

**Mr Marchese:** —in those licensed places so as to permit all the fans like me who love soccer to be able to do so.

**The Speaker:** Just so the members are clear, you're asking for unanimous consent for what?

**Mr Marchese:** To permit the soccer fans of the World Cup to be able to see the games in licensed establishments and that they open until 5 o'clock in the morning to be able to do so.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

### INTRODUCTION OF BILLS

#### POST-SECONDARY EDUCATION STUDENT OPPORTUNITY ACT, 2002

#### LOI DE 2002

#### OFFRANT DE NOUVELLES POSSIBILITÉS D'ÉDUCATION POSTSECONDAIRE AUX ÉTUDIANTS

Mrs Cunningham moved first reading of the following bill:

Bill 65, An Act to enact, amend or revise various Acts related to post-secondary education and opportunities /  
Projet de loi 65, Loi édictant, modifiant ou révisant diverses lois liées à l'éducation postsecondaire et aux possibilités en la matière.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."  
 In my opinion, the ayes have it.  
 Call in the members. This will be a five-minute bell.  
*The division bells rang from 1352 to 1357.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Munro, Julia
Arnott, Ted	Ecker, Janet	Mushinski, Marilyn
Baird, John R.	Flaherty, Jim	O'Toole, John
Barrett, Toby	Galt, Doug	Ouellette, Jerry J.
Bartolucci, Rick	Gerretsen, John	Peters, Steve
Beaubien, Marcel	Gilchrist, Steve	Phillips, Gerry
Bountrogianni, Marie	Gill, Raminder	Prue, Michael
Boyer, Claudette	Hampton, Howard	Pupatello, Sandra
Bradley, James J.	Hardeman, Ernie	Sampson, Rob
Bryant, Michael	Hastings, John	Sergio, Mario
Caplan, David	Hudak, Tim	Smitherman, George
Christopherson, David	Jackson, Cameron	Spina, Joseph
Churley, Marilyn	Johns, Helen	Sterling, Norman W.
Clark, Brad	Kormos, Peter	Stewart, R. Gary
Clement, Tony	Levac, David	Stockwell, Chris
Colle, Mike	Marchese, Rosario	Tascona, Joseph N.
Conway, Sean G.	Marland, Margaret	Tsubouchi, David H.
Crozier, Bruce	Martel, Shelley	Wilson, Jim
Cunningham, Dianne	Maves, Bart	Witmer, Elizabeth
DeFaria, Carl	McDonald, Al	Wood, Bob
Di Cocco, Caroline	McLeod, Lyn	Young, David
Dombrowsky, Leona	Molinari, Tina R.	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 65; the nays are 0.

**The Speaker:** I declare the motion carried.

#### HEALTH PROTECTION AND PROMOTION AMENDMENT ACT (FOOD HANDLERS), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LA PROTECTION ET LA PROMOTION DE LA SANTÉ (PRÉPOSÉS À LA MANUTENTION DES ALIMENTS)

Mrs Pupatello moved first reading of the following bill:

Bill 66, An Act to amend the Health Protection and Promotion Act to require that a certified food handler be present at all times during the operation of a food premise / Projet de loi 66, Loi modifiant la Loi sur la protection et la promotion de la santé en vue d'exiger qu'un préposé agréé en manutention des aliments soit présent en tout temps pendant l'exploitation d'un dépôt d'aliments.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mrs Sandra Pupatello (Windsor West):** All of us will be aware that recently, over the last couple of months, there have been several outbreaks of E coli and various forms of food poisoning and we're not certain of their origins.

While we realize that public health units are required to provide food certification courses for people who work in the food industry—it doesn't mandate people from restaurants, for example, to take these courses. What this bill endeavours to do, and it is being requested by various public health units across Ontario, is to mandate people from that service sector to take these courses.

It is very modest in terms of what money requirements there may be because the courses are already being offered by the public health unit. It gives the public a great deal of satisfaction to know that they are going out and having food, prepared for the public, that is at its best.

#### COLLECTION AGENCIES AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LES AGENCES DE RECOUVREMENT

Mr Sergio moved first reading of the following bill:

Bill 71, An Act to amend the Collection Agencies Act / Projet de loi 71, Loi modifiant la Loi sur les agences de recouvrement.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Mario Sergio (York West):** The bill amends the Collection Agencies Act by specifying that certain behaviours are prohibited practices and prohibited methods in the collection of debts.

The bill establishes a discipline committee and an appeals committee to deal with complaints concerning engaging in prohibited practices or applying prohibited methods in the collection of debts.

#### PRIVATE INVESTIGATORS AND SECURITY GUARDS AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LES ENQUÊTEURS PRIVÉS ET LES GARDIENS

Mr Sergio moved first reading of the following bill:

Bill 79, An Act to amend the Private Investigators and Security Guards Act / Projet de loi 79, Loi modifiant la Loi sur les enquêteurs privés et les gardiens.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**M. Mario Sergio (York-Ouest):** J'aimerais parler en français et dire quelque chose pour expliquer ma loi. But I would like to say in English, for the benefit of my colleagues who do not understand French, that the bill amends the Private Investigators and Security Guards Act to require that licences under the act meet certain educational and other standards.



**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: You will rule on whether it's a point of order, but in St Catharines on Tuesday night at this dinner where they paid \$225 a head to the Ontario PC fund, the Premier of Ontario referred to all of those who cheered for the Ottawa Senators as losers. I would like to request unanimous consent for the member for Lanark-Carleton to respond to that particular insult.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I move the following amendments be made to the membership of certain committees: Mr Prue replace Ms Churley on the standing committee on the Legislative Assembly, and Ms Churley replace Mr Prue on the standing committee on general government.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Stockwell:** I move that notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr Kwinter and Mr Gerretsen exchange places in order of precedence.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### POST-SECONDARY EDUCATION

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** It is an honour today to introduce the Post-secondary Education Student Opportunity Act, 2002. As we are all aware, Ontario students are a very diverse and complex group. They are learners who come from all age groups and all backgrounds. They study full-time, they study part-time, and some study at a distance. They have a wide range of goals. That is what this act is

about: giving opportunities to a wide variety of Ontario learners to acquire the knowledge and skills they need to use their talents to the fullest.

Elements of this bill touch a great many different aspects of post-secondary education. It revives four bills that passed first reading in the last session of the Legislature.

First, the University of Ontario Institute of Technology Act, 2002, would establish the University of Ontario Institute of Technology—UOIT—on the campus of Durham College. It is 40 years since a new university was born in Ontario. It is fitting, therefore, that this new institution would take an innovative approach to meeting market needs by providing students in the eastern GTA with a wide range of career-oriented programs in high-demand occupations.

If approved, the UOIT would start offering a range of new, market-driven university programs, including applied science, advanced manufacturing, policing and community safety, applied health science, business information technology, applied arts, nuclear technology and safety, and scientific and technological teacher education.

Students would be able to earn a degree, diploma or other credential, depending on their program of choice. Our investment, \$600 million in start-up funds, will be matched many times over by private sector partners who recognize the value of employees who have competitive skills for today's marketplace. It's an approach that has proven successful in the field of training and apprenticeship, and we expect that it will prove just as successful in the degree-granting environment of this university.

The second bill in the Post-secondary Education Student Opportunity Act, 2002, is the Ontario Colleges of Applied Arts and Technology Act, 2002, which would set up a separate act for the establishment and governance of colleges and remove those powers from the Ministry of Training, Colleges and Universities Act.

This legislation is also about meeting the diverse needs of our students. Until now, our legislation has treated all our colleges as though they are exactly the same and fulfill the same needs in their communities. This is far from the reality. We want colleges to be better able to respond to the different circumstances of their communities, their student bodies, their local economies or their unique areas of specialization.

1410

The intent of this legislation is to help colleges do this by giving them more autonomy to make decisions at the local level and pursue entrepreneurial activities. They would, of course, still be accountable for public dollars. If passed, this legislation would modernize the accountability relationship between college boards of governors and students, the public they serve and the government, and place increased emphasis on the achievement of results.

We want colleges to improve on the already excellent job they do to give students and employers programs that will provide the skills needed in today's and tomorrow's

economy. We propose increasing the opportunities for local self-determination through the removal of outdated requirements and restrictions. Boards of governors would define the unique role that each college plays in its local, regional, national and/or international communities. College boards would also have increased responsibility for managing real estate transactions, approving programs of instruction and establishing some subsidiary corporations.

Schedule C of the bill I am introducing today would revise the Ontario College of Art Act to give the college the authority to grant bachelor's and master's degrees in fine arts and design. In 2001, OCAD surpassed the standard set by an independent expert review panel for degree-granting authority. It was that panel and process that served as the model for the Postsecondary Education Quality Assessment Board. This amendment would only serve to reflect the quality of programming that students have been receiving for years at OCAD. It is the oldest and largest institution of its kind in Canada, but it also is the only one among similar Canadian colleges that does not have the ability to grant degrees. Other provinces have raced ahead of us in this area.

It is time that OCAD graduates received credentials that truly indicate the quality of the education they have received. Up to now, students have sometimes found themselves limited in their choice of work after graduation because the credentials didn't appear on par with graduates from other institutions. In the future, we want them to have the degrees they deserve. We don't want them to have to choose between a high-quality fine arts education and a degree. We want them to have both right here in Ontario.

The proposed amendments would also set up an advisory academic council that would give the governing board advice on academic matters such as curriculum, graduation requirements and keeping academic programs relevant and up to date. Until now, the Ontario College of Art Act, unlike most university acts, did not spell out responsibility and accountability for these key academic matters.

A fourth bill we introduced in the last session dealt with amendments to the Ontario Educational Communications Authority Act. This is the act that governs the operations of TVOntario. One of our government's priorities is to ensure that lifelong learning programs help Ontarians stay competitive in the workforce by providing them with flexible opportunities to learn new skills and keep existing knowledge up to date while balancing the priorities of family and career. In January 2001, this government announced the creation of the Centre for Excellence in Lifelong Learning at TVOntario. The centre will align the content expertise in elementary and secondary distance education programs provided by the Independent Learning Centre and the new media expertise available at TVOntario. The proposed amendments to the Ontario Educational Communications Authority Act would recognize the new role of the Centre for Excellence in Lifelong Learning by enabling TVOntario

to fully operate and recognize distance education programs by correspondence or other means.

Finally, I would like to advise the Legislature that the Post-secondary Education Student Opportunity Act, 2002, also contains housekeeping items. If passed the bill would change the name of the Private Vocational Schools Act to the Private Career Colleges Act and change the name of Ryerson Polytechnic University to Ryerson University.

In conclusion, we as a government are committed to providing the finest possible educational opportunities to Ontarians right here in Ontario. Our government believes that education is the cornerstone of our province's growth. We want our citizens to be equipped to meet the challenges of a rapidly changing global economy, and we also want to be sure that our institutions have the ability to respond to the changing priorities of students and employers. We cannot ask them to do this without giving them the tools.

We here in the Legislature must show that we too can respond to Ontario's changing educational needs by passing the Post-secondary Education Student Opportunity Act, 2002.

I notice that there was unanimous consent on the vote on this bill; everyone voted in favour. Most of my colleagues in this House have been working with their colleges and universities and their private vocational schools for more than two years on most of this legislation. I would like to move both second and third reading of this bill this afternoon.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** On a point of order, Mr Speaker: I request unanimous consent for second and third reading of the bill.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I heard some noes.

Was the minister done with her statement? Thank you.

Responses?

**Mrs Marie Bountrogianni (Hamilton Mountain):** After almost five months of having the Legislature closed, of not being able to debate government bills, we are asked to accept second and third reading of an omnibus bill for post-secondary education. We voted for it on first reading to allow for debate and to have more time to examine the new, additional bills in this bill. To be clear, we have not had debate on any of these bills. The colleges and universities have not been adequately consulted on the new sections of the bill.

There's a trend here, just the way they tried to sell Hydro One without legislative debate, and if it weren't for the courts it would have been sold. It's the same with long-term care: the government introduced changes without adequate consultation and has caused an even greater backlog. Your own government spokesperson said you're trying to solve one problem and it has exacerbated another problem. I'm sure somebody is going to have to change that. Do you not learn that without consultation, without study, this is what happens?



What kind of a democracy do we have here? What kind of government do we have? Certainly not an open one and certainly not a competent one.

The most significant part of this bill is the University of Ontario Institute of Technology Act. We have great concerns over this: \$60 million to a new institute when the existing ones are starving, when the double cohort is around the corner, when all the other provinces in the country have significant increases in applicants from Ontario. Nova Scotia alone has had a 40% increase in our applicants.

Last week the minister waved some press releases from the colleges and universities, saying they were supportive. What the college and university presidents are telling me is that they don't want to suffer the same fate as the hospitals. They don't want the reprisals of this government if they criticize their funding formulas.

I'd like to ask the government a question: how can you be hiring staff and faculty in Durham for this new institute when the bill isn't passed, when you haven't funded the double cohort for existing universities? Again, it leads us to believe that you're doing the same as with Hydro: say one thing to the public and then behind closed doors do another, and then arrogantly say, to quote your Premier, "When we decide, you'll be the first to know. Trust me." What do you take the public for?

The public's suspicion increases. Half of Queen's applicants to the technology education area have been turned down because of funding cuts even though there's a severe shortage of qualified technology teachers.

#### *Interjection.*

**Mrs Bountrogianni:** The government House leader says, "Blah-blah." I'd like you to listen to this; I think Queen's University would like you to listen to this: 174 unqualified tech teachers are teaching in Ontario at this point. This program, curiously, will be offered at this new institute. Are you prolonging the lack of qualified teaching to ensure that you have applicants for this new place? If so, be honest and tell Queen's that. Half the applicants, Minister, have been rejected by Queen's because of funding. Your own ministry spokesperson said that. Tell the boards of education that. Tell the applicants that.

While you're at it, explain to Trent University why UOIT jumped the queue when Trent has been asking for this program for years. There's a question of quality here. At least one employee at this place, when the bill hasn't even passed, has quit after five weeks because of the lack of quality.

1420

With respect to the college charter, the colleges are concerned about section 8(1)(a), which allows you, by regulation, to turn colleges into third-tier education. They're very concerned about this. Colleges have a 35% increase in enrolment, a 40% decrease in funding and the colleges in the north are especially suffering. The then Minister of Northern Development asked the college presidents to develop a proposal to solve some of the economic development problems in the north, and then

he rejected this proposal. You've written off the north. Maybe we need another by-election up there to get some money in colleges.

This is Hydro all over again. It's not about education. It's about misuse of the democratic process. It's about incompetence. It's about pushing laws through without public consultation or debate. Separate the bills and let's debate and vote on them separately.

You say you're different from the callous government of Mike Harris. Dalton McGuinty and the Liberals dare you to prove it. Stop the \$2.2-billion corporate tax cut and put this money into health care and education. Do the right thing.

**Mr Rosario Marchese (Trinity-Spadina):** I want to speak very briefly to the incompetence of the government and get to the bills in short order.

This government has been egregiously incompetent. Remember the last session. Recall all the bills that they would introduce day in and day out. They churned them out and they didn't have enough time for the Legislative Assembly to fit them into the debate. At the last moment, they had 23 bills they wanted to introduce in this place and they wanted New Democrats and Liberals to genuflect and simply say yes to all the bills at the very last moment. The Liberals did say, "Yes, we'll give you unanimous consent." New Democrats said, "No. We want debate on these bills."

**Hon Janet Ecker (Minister of Finance):** You turned down debate on these bills.

**Mr Marchese:** No, you never introduced them. You never introduced them for debate.

#### *Interjections.*

**Mr Marchese:** The Liberals are unhappy with my remarks, and so are the Tories. They were quite willing to give them unanimous consent to those bills, but today they argue, "Oh, no, we will not pass these bills without debate." At the time, we said we needed debate on each and every one of those bills, but they refused to introduce them in a timely manner. That's why I say to you it's incompetence.

**Mr Bountrogianni:** Nice try, Rosario.

**Mr Marchese:** Maria, please. Nice try, to you, Maria Bountrogianni.

The point is, now that the government has allowed those bills to linger on the shelf for months and months, and weeks since we have been back here, they introduce them in an omnibus manner—

#### *Interjection.*

**Mr Marchese:** Dominic, be quiet. They introduced them in an omnibus manner so as to be able to pass them through all at once. The difficulty and the danger of it is, if I want to support three but I have difficulty with one, I've got a problem as an opposition member. If there are people out there saying, "We can support three but we don't support the one," what do they do and what do we do when you bundle them up in such a manner? We could, being opposition, vote against them all because you've bundled them all in one package, forcing the opposition to slow down your business in this place.

That's not what we should be doing. That's why we say to you, bring them in a timely manner so they can have the proper debate they deserve.

**Mr Dominic Agostino (Hamilton East):** Twenty-one times you voted it down.

**Mr Marchese:** Dominic, quiet down. Speaker, quieten him down.

The Ontario college of applied arts and technology raises loads of questions.

*Interjections.*

**The Speaker:** Order. Stop the clock. Member for Hamilton East, come to order, please. Continue, the member for Trinity-Spadina.

**Mr Marchese:** Thank you, Speaker, for that intervention.

The Ontario college of applied arts and technology raises questions. Mine is, does it help to create an affordable, accessible, high-quality system of colleges for all Ontarians? It does not. Here's what it does allow colleges to do. It allows them to raise money. It allows them to use their land to leverage other projects. Why? Because the government refuses to fund them adequately. So it says to them, "We will give you the flexibility to raise money in some other way."

**Ms Marilyn Mushinski (Scarborough Centre):** And that's a bad thing? Duh.

**Mr Marchese:** Oh, the former minister of culture has a great contribution to make with that comment.

You have the other bill, the University of Ontario Institute of Technology, which raises loads of questions.

*Interjection.*

**Mr Marchese:** There's Dominic again.

They've cut \$2 billion out of colleges and universities—\$2 billion—yet they find \$60 million for this university. And where do they find it? Where will they take it from? Who knows, except from the sector that's already been underfunded for years. Two billion dollars has been taken out of the sector, cumulatively. Are we going to find the money to be able to fund this new university adequately? We don't know. Why do we say we don't know? Because Ontario is last in terms of funding in North America. With an economy that's doing so great, we are last. How do you justify that? How do you justify the fact that with this double cohort, 20,000 people, according to People for Education, are not going to be able to enter a college or university? How do you justify 20,000 students not being able to make it? The funding is not there.

We need to debate these bills, and we will debate them in order to make sure the views of those who are affected will be heard in this place.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: In light of the Premier's undertaking to this House yesterday with respect to public hearings on Bill 58, the Hydro One privatization bill, I seek unanimous consent to put a motion to this House that would allow for public hearings of Bill 58, the Hydro One privatization bill, to occur throughout July and August across Ontario, beginning in Windsor, London,

Kitchener-Waterloo, Toronto, Ottawa, Sudbury, Thunder Bay, North Bay, St Catharines, Niagara Falls and Kingston, and that we have the opportunity to have these consultations throughout the summer—

*Interjection.*

**Mr Duncan:** Oh, yes. The minister says "Ottawa," so also add Ottawa to that list—in order to have the consultations the Premier undertook to this House yesterday.

**The Speaker:** The same point of order, the government House leader.

**Hon Mr Stockwell:** Obviously there are a lot of towns the House leader for the Liberal side left out, and I would hate to think we would exclude anyone during these consultation processes. That's why I believe those are best decided among House leaders rather than by happenstance and the back of the envelope, the way the Liberals like to do most things.

**The Speaker:** The same point of order.

**Mr Duncan:** I suggested today in the House leaders' meeting that in fact those hearings occur, and we were told no by the government House leader.

**The Speaker:** The member has asked for unanimous consent. Is there unanimous consent?

I'm afraid I heard some noes.

## ORAL QUESTIONS

### HYDRO ONE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

My question is to the Premier, and it follows on a discussion we had yesterday about the consumers' interest, the public interest in the potential sale of the electricity highway to the private sector.

Looking at the financials of Hydro One since it was established in 1999 as a separate commercial company, I note that Hydro One in each of the past three years has reported net income of between \$374 million and \$378 million and that in each of those three years there are capital expenditures in the physical plant, transmission particularly, approaching a half-billion dollars. Interestingly, when I look at the electricity highway, the transmission business, it represents one third of the revenue but two thirds of the profit of the business we know as Hydro One.

Premier, thinking about the Ontario electricity consumer, why would we sell the electricity highway and the very good business and net income prospect it represents to the provincial government?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** First of all, nobody has said that we are, and second, any decision that is taken in that regard would have to take into account obviously the consumers and ratepayers in the province of Ontario.

1430

**Mr Conway:** Just a few days ago, your lawyers, Thomas Marshall, QC, Thomas Heintzman, QC, Sara



Blake and Harry Underwood, went to the Ontario Court and said in their factum—let me quote from page 2 of a factum tabled just a few days ago as part of the overall program: “The crown”—meaning the Ontario government—“seeks to sell to the public its shares in Hydro One by way of an initial public offering.” That’s your lawyers speaking on your behalf in an Ontario Court just a few days ago—well after the by-elections, I might add.

My point is simply this: at some juncture, Premier and former Finance Minister, somebody over there is going to have to explain to the Ontario electricity consumers why a business that produces net income of \$375 million a year, two thirds of which net income is coming from the transmission grid, the electricity highway, should be sold to the private sector.

**Hon Mr Eves:** First of all, the IPO with respect to Hydro One shares is not being proceeded with at this time. It may never be proceeded with, I might add.

*Interjections.*

**Hon Mr Eves:** You are going to have to wait until the final decision is made by the government. At that time, it will be fair for you to comment on whatever decision the government comes to with respect to Hydro One.

**Mr Conway:** Let me say what you know perhaps more than most people. Your parents, my parents, our grandparents spent a century building an enormously important strategic and valuable asset. It is called the electricity highway.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** They just forgot to pay for it.

**Mr Conway:** Oh, they have paid for it. I want to say to the Minister of Energy, according to your own financials, the electricity highway is part of the electricity business that is not only extremely strategic but apparently very profitable—net income for the last three years in excess of \$375 million.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The member’s trying to place the question, please. Sorry for the interruption.

**Mr Conway:** Listen, I know perhaps better than most that there is a big problem, but it is over in generation. Fifty per cent of our costs in the electricity business in Ontario, 80% of our trouble and 90% of our debt is in the generation business, mostly in the much-troubled and deeply conflicted nuclear power division. I accept that, and I’ll accept some measure of responsibility for it. But the electricity highway, as your own financial statements for the last three years make plain, is enormously good business. I understand why the investment bankers and the private sector want to buy it. Why should the taxpayers and most especially the electricity customers ever want to sell the electricity highway, which is, by virtue of your own numbers since 1999, apparently very good and improving business?

**Hon Mr Eves:** The very honourable member who’s asking the question has stood in this House many times and criticized Ontario Hydro. He’s criticized them many times.

*Interjection.*

**Hon Mr Eves:** He didn’t talk about generation, with all due respect, I say to the member for Thunder Bay. She knows very well—she sat here and listened to the honourable member talk and criticize Ontario Hydro. They’ve done such a great job over the years. They have an asset that’s worth \$17 billion and they’ve run up a debt of \$38 billion. There’s a \$38-billion debt owed by the people of Ontario due to the performance of the way the old Ontario Hydro was run. There has to be some private sector discipline brought to all elements of Hydro as we go forward in the future. Surely you’re not suggesting that we run up another \$38-billion deficit to leave for our children and grandchildren in the future.

**The Speaker:** New question.

**Mr Michael Bryant (St Paul’s):** My question’s for the Minister of Energy. The original compensation package of CEO Eleanor Clitheroe was detailed in Hydro One’s March 28 preliminary prospectus. We know that. We know when you were personally first briefed on that pay package. What we don’t know is the date that any government official became aware of the original compensation package. Can you give us that date?

**Hon Mr Stockwell:** I can’t respond as to when any government official became aware of it. The prospectus was filed, as I’m sure it was filed in previous years. I can’t tell you when any government official was first notified of that, no. There’s no way I would know.

**Mr Bryant:** Who knew what and when is important to determine parliamentary accountability. I understand you’re a new minister, but you are responsible for the Ministry of Energy. If errors were made in November or December, or if in October of last year the government was aware of the compensation package and approved of this outrageous compensation package in January, February or March, we need to know when that is. That’s parliamentary accountability.

This is the question we need answered: was the government, was the ministry, asleep at the switch at the time in which the CEO executive compensation package was approved by the board, or did you approve that executive compensation package? We need to know that and we’re not getting answers on that. I asked you a question and I would appreciate if you could get us the answer on that.

Not only do we need answers to that, but there is enormous public skepticism about the pay packages of Ontario Hydro successor executive officers. So will you disclose to the public the executive pay packages of the executive officials of all the Hydro successor companies, including those executive officials very well-known to this government, that being vice-president Hutton and chairman Bill Farlinger? Will you give us those pay packages?

**Hon Mr Stockwell:** There’s quite a series of questions in there. The first question was with—

**Mrs Marie Bountrogianni (Hamilton Mountain):** Is it too complicated for you?

**Hon Mr Stockwell:** Sorry? Never mind? OK, that's good. Stop talking, then.

There are a number of questions involved in there. The first question was with respect to when we discovered it. The fact of the matter is that I believe these negotiations take place between the board and the CEO. There's no obligation, in fact, for a government official to know what those particulars are until they're filed, I believe, with the OSC or until the prospectus is filed, and that's in fact when the information came forward.

With respect to the subsidiary companies, I can only say that as of today, I sent a letter to the chair of Hydro One and requested the chair to get back to me by 5 o'clock tomorrow with the direction to negotiate down the pay packages for the five senior staff at Hydro One, a commitment that they will be negotiated down and that they would get back to me later in the day tomorrow to actually tell me they will do that and move toward finishing that so the taxpayers of the province of Ontario can be properly protected and properly represented, because we in this caucus agree that these are too generous. That's why I directed the chair of the board of directors of Hydro One to begin negotiations to reduce the pay packages for all five senior staff.

**Mr Bryant:** The government is being awfully defiant when it comes to giving us answers as to who knew what and when. The public sees Captain Clitheroe with her golden parachute and you seem to want to suggest that she's going to be the scapegoat in all this. In fact, you're the shareholder here. You represent the government. You can't tell me that the single shareholder of a company is uninterested in the compensation package of its CEO. That's absurd. Either you were asleep at the switch or you were the conductor of this gravy train. But either way, the ratepayer is the one who's going to pick up the cost.

Not only does Captain Clitheroe have a golden parachute, but apparently she's got a yacht to land on. Have you seen this thing? Have you seen this yacht at Hydro One—

**The Speaker:** Order. You can't use props. I'd ask the member not to use that, please.

**Mr Bryant:** A Hydro One yacht, OK? Can you imagine if the CBC had a yacht in a race? I think Minister Flaherty's head would explode with anger as a result.

You can't control Hydro One as a public company; how on earth are you going to control it as a private company? I say to you, Hydro executioner, you're the Minister of Energy. If you're looking for someone to blame for this outrageous spending, you should look in the mirror.

1440

**Hon Mr Stockwell:** I'm sure there isn't a cliché he left out in that question, actually. We have taken direction very clearly. We've taken a decision. The decision has been that I wrote to the chair of Hydro One and I directed—

**Mr John Gerretsen (Kingston and the Islands):** When? Yesterday?

**Hon Mr Stockwell:** Today. I directed the chair—

*Interjections.*

**The Speaker:** Order. Sorry, Minister.

**Hon Mr Stockwell:** I wrote to the chair today and directed him to report back to me on proceeding with the reduction of the pay packages for the five senior people in Hydro One.

The report will come back to me tomorrow as to whether or not they were going to begin these negotiations and reduce the pay packages for the senior staff of Hydro One. If that doesn't succeed, we have other options.

But the point I'm making is that we agree these are far too generous, they're far too significant, and we're taking actions to ensure that the taxpayer doesn't get handed this bill. That's what responsible governments do and that is what we're doing.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Yesterday, when your government announced your new electricity legislation, you said you were going to protect electricity consumers, retail electricity customers, from unscrupulous conduct on the part of retail electricity marketers.

Your own government members have admitted that these door-to-door electricity retailers have been misleading consumers, in some cases just outright lying to them, and we've even had reports of forging of signatures. Yet, incredibly, your so-called electricity consumer protection bill that you've put forward is not going to do anything for those almost one million consumers who were manipulated, lied to or bilked into signing contracts prior to this date.

Can you tell me, Premier, why you would protect electricity consumers into the future, but those people who were lied to or misled over the last year or so, your government doesn't care about them at all?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** The government of course is taking steps to protect the consumer as we go forward. Retroactive legislation of any kind is usually regarded as fairly draconian at best.

The Ontario Energy Board is the independent body that regulates the price of energy in Ontario. They have levied some \$56,000 in fines through some offenders they have found. If there are other cases out there, I would encourage not only the honourable member but others to report them to the Ontario Energy Board so that proceedings can be started against those, and if there are invalid or improper contracts out there that individual people have signed, so that they can be turned over.

**Mr Hampton:** This is incredible. Your own ministry yesterday said that there are real problems out there. Your own members have come to the Legislature here and admitted that forgery has taken place, that outright



lying has taken place, that misrepresentation has taken place and that contracts were signed on that basis, and your government says, "We don't care. We're more interested in protecting the very people out there who have engaged in the manipulation."

Premier, your government set up this situation. Your government set up the situation whereby Eleanor Clitheroe gets to bilk the ratepayers of Ontario out of \$6 million. Your government set up the situation that allowed these door-to-door marketers to engage in forgery, to engage in lying, manipulation and just outright misleading behaviour.

Is that all you've got to say to the one million people who were bilked into signing contracts on that basis: "Sorry, our government is more interested in protecting our corporate friends than in helping you"?

**Hon Mr Eves:** That isn't what we have said at all and he knows it. First of all, the legislation the minister introduced yesterday has a consumers' charter of rights to protect consumers in the future. Also, he's using some pretty strong language in terms of "forgery" and "fraud" and "misrepresentation." If he has evidence of that, obviously he would do what any other individual would do, and that is (a) turn it over to the police and (b) charges would be laid and proper proceedings would be commenced against the offending individuals or corporate entities.

Obviously nobody wants to see the Criminal Code being breached, let alone any other misrepresentation with respect to consumers. The Ontario Energy Board is in place to catch those types of transactions and try to prevent them from occurring and punish those who do them.

**Mr Hampton:** Premier, I didn't set up this system. The people out there didn't set up this system. Your government set up this system. Your government put through the legislation and created the machinery whereby these door-to-door rip-off artists could go out there and manipulate people. Now you're saying to those people, "You're on your own." That's not good enough.

One of the companies that's one of the worst offenders is Direct Energy. I notice that Direct Energy has contributed over \$30,000 to Conservative candidates. I notice that many others have contributed thousands of dollars, either to the Conservative Party or to Conservative candidates. Do you want to tell the people out there why you're interested in accepting money from these rip-off artists but you're not interested in protecting consumers? I brought forward a private member's bill that would have allowed those people who have been ripped off to void those contracts. Your members voted it down. Now you're accepting money from the same companies that are out there ripping people off. Tell the people, Premier, why you're interested in protecting your corporate rip-off friends and why you're not at all interested in protecting the one million consumers who have been manipulated.

**Hon Mr Eves:** If I were the leader of the third party, I would be very careful about repeating outside the Legislature what he's saying inside the Legislature.

**Mr Hampton:** I'd be happy to say it outside the Legislature.

**Hon Mr Eves:** Well, the honourable member is alleging that a particular company is fraudulent, is committing forgery, is committing fraud, is misrepresenting things. I'm not here to defend that company. But I am telling the honourable member, if he goes outside the doors of this Legislature and repeats those comments in those terms, I hope that he has the facts to substantiate them at the end of the day, because he's going to be in some serious legal trouble if he doesn't.

## EDUCATION FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Education. The minister will have seen this report from People for Education. It denotes that in fact in Ontario five years ago 80% of our schools had school librarians. Now, under your government, only 59% of our schools have school librarians. The study also shows that after five years under your government, there has been a 22% reduction in the number of physical education teachers. At the same time, student obesity is reaching alarming proportions. Study after study says that if you want children to be healthy, have good physical education programs. Study after study says that if you want to improve literacy, if you want students to do well, have good school libraries.

Parents want these things and some of the school boards are prepared to defy your government's law to make sure that the students continue to have those things. The question for you is, will you come up with the emergency funding for school boards for the coming year so kids can continue to access libraries and have physical education programs?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I would certainly agree with the leader of the third party. I think libraries and librarians and certainly physical education are all important parts of the school curriculum. I would just remind the member opposite that through classroom funding that is provided to school boards in Ontario they have the opportunity to make the decisions as to where they wish to make their allocations.

We have increased funding this year by \$350 million. We have given \$65 million for textbook funding. We have given increased flexibility to school boards, which is what they asked us for, in order that they could allocate the money where they believed it was needed most.

1450

**Mr Rosario Marchese (Trinity-Spadina):** The evidence is irrefutable. This report—you should look here, Minister—shows evidence of the many cuts that have been sustained under your government since you came in. We are talking about a system that's broken that you are not fixing.

We're talking about music programs that have proven to help children's overall learning capacity, but we've lost nearly a quarter of our music teachers since 1997—

nearly a quarter. Despite an increase in immigration to Ontario, the number of schools with ESL programs has dropped 31% in five years. There are an estimated 39,700 children on waiting lists for special ed, up from last year, which was 36,000. It's going up every year.

You've found millions and millions of dollars for private schools—you're going to find anywhere from \$300 million to \$700 million—yet we need money for librarians, music teachers, ESL, physical education, busing and education assistants.

Minister, we need your help now. All I'm asking is, will you listen?

**Hon Mrs Witmer:** We have listened. Indeed, since our government took office we've done a couple of things. We have heard the concerns of the school boards in the province of Ontario, who indicated there was a need to take a look at the funding formula, and in the throne speech we announced that we would be reviewing the funding formula, with a report to be prepared in November. So we have heard; we responded immediately.

We also made available \$350 million in new grants this year, new money for school boards. This is well ahead of enrolment growth and well ahead of economic growth at 1% in Ontario. I can tell the member opposite that we will continue to be responsive to the school boards in this province, because we both share the same goal; that is, to make sure students have the best education possible.

#### HYDRO ONE

**Mr Michael Bryant (St Paul's):** My question is for the energy minister. What about this yacht?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Completely unacceptable.

**Mr Bryant:** Minister, you say it's unacceptable. The buck stops there, I thought. If we have a parliamentary system, then the minister ultimately has to be responsible. The shareholder for Hydro One is the government. It's the government. The government represents a shareholder. If TVO was sponsoring a yacht, I think people would find that a little bit off its mandate.

What does having a yacht have to do with electricity transmission, I say for the second time. In the midst of this golden parachute we now have a golden spinnaker. Hydro spending is out of control. You're the minister responsible, and you are defiant. How coincidental. Do you know what the name of the boat is? Defiant.

Again I say to you, Minister, what about the yacht?

**The Speaker (Hon Gary Carr):** That's the last warning about the picture to the member. Minister?

**Hon Mr Stockwell:** It's completely unacceptable. I can only tell you that we—

*Interjections.*

**The Speaker:** Try again?

**Hon Mr Stockwell:** We on this side of the House find it completely unacceptable. I knew nothing of the yacht until I saw it on Global.

*Interjection.*

**Hon Mr Stockwell:** Was that an audible burp?

I knew nothing of the yacht until two days ago, when Global TV ran the story of the yacht.

I will tell you—and the undertaking to this House is simple—this yacht will go. We will get rid of it. It will not be part of Hydro One. It's part of the letter I've sent to the chair of the board of directors to negotiate down the compensation package of the five senior people. If there are any other examples such as this yacht at Hydro One, they will also be disposed of. We do not find it acceptable, we have never found it acceptable and we will deal with this issue. And if we can't deal with this issue—

*Interjections.*

**The Speaker:** The minister's time is up anyway.

#### ONTARIO BUDGET

**Mr Al McDonald (Nipissing):** My question is for the Minister of Finance. I want to ask about the province's fiscal situation. I have to tell you that there's a great deal of concern about this and how the budget will deal with it. People don't know what is coming or how it might affect their budgets. There have also been news reports that there could be a deficit. Could you give us some idea of where this budget is headed?

**Hon Janet Ecker (Minister of Finance):** I'd like to thank the member for Nipissing for this question. He's wasting no time in speaking out for his constituents.

I think it's certainly important to emphasize that Ontario is facing a difficult and challenging financial situation. There are some tough and difficult decisions ahead for us, but I think it's also important to recognize that the goals we have set out and that we still subscribe to in this government, the goals we promised the taxpayers in 1995 and again in 1999—to protect and be accountable to taxpayers, to make sure our tax policies and government policies were competitive so that we could encourage jobs and growth in this province, and from that growth continue to make new investments in health care and education—continue to be the goals we have.

Because of the economic slowdown, there's no question that government revenues are not what was anticipated. At the same time, of course, we have increased costs for health care and education. Because of the prudent fiscal management of this government, we've been able to increase health care funding by some \$6 billion and investments in education by over \$1 billion, because we believe those are important priorities for Ontario families.

**Mr McDonald:** As you know, Minister, we are well into the spring session. People will be looking at this budget to help determine where our government is headed. Could you tell me when you'll be introducing this budget?

**Hon Mrs Ecker:** It is our intention to have a spring budget to be accountable to taxpayers. We're taking the time to be prudent, given the challenges we face. As has



been publicly known, there have been scenarios that talk about a \$3-billion to \$5-billion challenge for the province to face. The reason for that is, as I've mentioned, because of the drop in revenues. For example, corporate profits have taken one of the biggest drops since 1991, and you simply can't have tax revenue from profits that aren't there.

At the same time, as I said, while there has been that drop, there are funding pressures in health and education. We will not lose sight of the expectations of families, the needs of families in health care and education, and at the same time pay attention to the goals of accountability to taxpayers that have guided this government for many years and will continue to guide us into the future.

1500

### SPECIAL EDUCATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. Minister, I want to ask you on behalf of parents in this province whether or not you, as a representative of the government, and of all of them, for education, accept that your government has degraded the quality of education in this province.

The evidence that was brought forward today came from parents on behalf of students. It talked about 39,700 students, for example, who are waiting for assessments to be able to receive some form of special education. That's a growth of 5,000 kids in just two years on the waiting lists. They're there because of actions or the lack of action on the part of your government. There are now hundreds more principals missing in action; 176 elementary schools that are closed; there is a lack of gym teachers, of psychologists. Only 25% of schools are visited by a psychologist, so there's no chance the rest are going to get help.

Minister, for the credibility of this government and for your belief with parents, is it a charade or will you tell us today that you agree that there is evidence that things have gone wrong for students in this province under the watch of your government?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Despite the statements that are made by the member opposite, the situation in this province for students has continued to improve in the last seven years. In fact, we have made a very strong commitment to special education students. If you take a look at the throne speech this year, it committed to make special education funding a priority: "Ontario's young people with special needs must also have the support they require in our school system. Your government will continue to make support for special education a priority." We have consistently increased special education funding ever since student-focused funding was introduced. In fact, there has been a 17% increase since 1998-99.

I think the significant difference we're also seeing is the fact that all children in this province today, unlike what we saw prior to the introduction of the funding formula, now have equal access to special education

services. We have kept our promise to protect the funding for vulnerable children and we will continue to do so.

**Mr Kennedy:** What you're asking the children in need out there to do is rely on your words, and frankly, the position you're taking is unethical. It's unethical for this reason: Mary Anne White has had to pay \$650 to get her cerebral palsy child assessed, because there's a waiting list documented by parents who have held surveys for five years marking the degradation of the system. Minister, you're the newly minted Minister of Education. If you don't accept that this is happening in this province under your government's responsibility, what hope do parents and what hope does Mary Anne White's child have for improvement?

Also, there are other kids out there: there's Sara Dowding at Essex school here in Toronto, in grade 2, whose mother tells you how dirty the school has become and how there's no lunchroom supervision. Minister, you met yesterday with the duly elected representatives, the trustees and chair of the school board. They're going to have to cut all kinds of services that go right to the core of what they're going to be taught—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Mrs Witmer:** I would again just reiterate the fact that our government has recently made new funding announcements to the tune of \$440 million. We have heard the concerns of parents. We are moving forward. We are addressing the needs of the students who are at high risk. We are addressing the students who have special needs. We are addressing the needs of all students. In fact, with the student funding formula we are providing all students in this province, no matter where they live, with equal access to the same programs, something that didn't happen before the formula was introduced. We will continue to work with the Toronto board and I am pleased to say they have been very conciliatory in their approach.

### EDUCATION FUNDING

**Mr R. Gary Stewart (Peterborough):** My question is also for the Minister of Education. Since the province assumed funding responsibility for education, our government has invested record levels of new money into education while increasing fiscal accountability of Ontario's hard-earned tax dollars. I understand that last night the Toronto District School Board had its budget meeting. There were quite a few comments that I read this morning in today's paper about its budget situation. Realizing that our government has invested so heavily in all Ontario boards of education to deliver money directly to the classroom, could you please tell the House today how much financial support the Toronto District School Board has received from our government?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm pleased to respond to the member for Peterborough's question. The Toronto school board, like other school boards in the province of Ontario, has

received transitional funding under the student funding formula. They have received approximately \$910 million since 1998. In fact, that's one of the largest amounts of transition funding that was provided to any board. Most recently in our announcement of an additional \$350 million for school boards, I'm pleased to say that the Toronto school board received \$49.4 million, which will enable them to have available to them almost \$2 billion. That is an increase of about 2.6% at a time when their enrolment is only increasing 0.6%.

**Mr Stewart:** Not only am I interested in the Toronto District School Board but all school boards in Ontario, including Peterborough school board.

**Mr Doug Galt (Northumberland):** How about Kawartha Pine Ridge?

**Mr Stewart:** Yes, Kawartha Pine Ridge. I'm of the old school; I call it Peterborough.

Minister, with pleasure I have heard those statements. I believe your ministry is most willing to work with boards to find solutions to the boards' budget problems. As has been mentioned, I believe you met yesterday with the chair and the director of the Toronto District School Board. We all know that a quality public school system means improved student achievement, but we all must live within our budgets. I am curious to know if the Toronto District School Board is indeed willing to work with the minister co-operatively and if your meeting with the chair and the director reached any conclusions that focused on our students and classrooms.

**Hon Mrs Witmer:** Yes, certainly we did have a meeting yesterday with the chair of the Toronto school board and also the director of education. I was really quite pleased to see the conciliatory approach that has been taken by the Toronto school board. They have taken a very responsible approach. I think everyone recognizes that budgets are difficult. It's usually very difficult each year to balance the budget.

I think we also know there is a statutory obligation on the part of boards to balance their budgets each year. Yesterday, when we met with the chair and the director, we agreed that our staff would work with their staff in order to help them achieve their goals, just as we are working with all boards of education in the province of Ontario. We've made the same offer to the Ottawa board. The ministry staff are always prepared to work with boards. Of course, we have set up the task force which will review the funding formula, which again responds to concerns.

1510

## HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. In view of the incredibly bloated salaries and excesses at Hydro One, I want to ask you again, when did your government first become aware of the incredibly excessive, bloated executive salaries and payouts at Hydro One?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** When the government first become aware—I can't answer that question. I don't know. I can't speak for the entire government. You'll have to ask whoever you think is appropriate to ask as to when they became aware. All I can tell you is when I become aware.

We got sworn in on April 15. Within seven or 10 days after being sworn in with respect to briefings at the Ministry of Energy, I would have become aware of the compensation package.

I will also add that in the prospectus that was put out, the compensation packages were put in there as well. So it wasn't that this wasn't public information; it was public information right around the province for anyone who wanted to access this information.

Now, I've heard from the Liberal Party and I've heard from the NDP that you in fact got the prospectus. So if you got the prospectus, then you would have known before I did.

**Mr Hampton:** Well, Minister, on November 28, I wrote to the Minister of Energy and I said, "I now write to seek your assistance in ensuring that the full story is told, this time about executive salaries at Hydro One. While Hydro One did file an information report" with the federal regulator, SEDAR, it omitted all of the information about "employment contracts, salaries and benefits of Hydro One executives." This was last year. "As Minister of Energy, will you see that this information is forwarded to" the regulatory authorities "forthwith so that it, too, can be reported to the public?"

I asked your government six months ago to check into what was happening at Hydro One, and now you're trying to say no one alerted you, no one asked you. Your government was asked six months ago about the excesses, the greed, the bloated salaries at Hydro One. What did you do over the last six months?

**Hon Mr Stockwell:** That's not what I said at all. Basically what I said was, you asked me when I found out. Then you asked me—

*Interjection.*

**Hon Mr Stockwell:** I'm paraphrasing your question. Then you asked me when any member of the government or anyone in the government found out. I said I could not respond to that. But you asked for—

*Interjection.*

**Hon Mr Stockwell:** I appreciate it. You can get a question in question period.

I then went forward and I said to you that I found out within a week or 10 days after taking office. Now, Mr Hampton, you talk about the last six months. You've been saying a lot of things in the last six months. You've been saying we're going to have blackouts. You've been saying rates are going to double. You've been saying all kinds of things. Now you're asking me to start wheedling through what you're saying that makes sense and what doesn't make sense. If you'd just stick to things that make sense, I'd start looking into them. You say so many things that don't make any sense, I'd spend my time



chasing my tail trying to figure out what you're talking about for the last six months when it's come to any Hydro issue.

#### MINISTRY OF HEALTH CONTRACT

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier. Yesterday you chose not to answer the question I asked regarding the Minister of Health hiring Gord Haugh as a press secretary and paying him \$300,000 for that contract. But you did answer the question of whether that was a reasonable payment outside to reporters, and in fact you agreed with Ontario Liberals that a \$300,000 contract in fact really is outrageous. Well, Premier, I want to tell you today that not only did we pay \$300,000 for that year's contract, I have the receipts here for two months' work of the year before, totalling \$55,000 for those two months' work. They were acquired by the FOI process.

Premier, you agreed yesterday to reporters that in fact the Ontario Liberals are correct: this is outrageous. Would you tell the House today, now that you in fact agree with us on this matter, when you asked the Minister of Health to repay the coffers of Ontario taxpayers. When did you tell him to repay it, him personally, or that the Progressive Conservative Party would be repaying this potentially \$355,000?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I believe the Minister of Health has particulars with respect to this matter.

**Hon Tony Clement (Minister of Health and Long-Term Care):** The contract to which the honourable member refers is no longer in existence. The contract is over as of tomorrow. The contract was signed, was acted upon and is now over.

**Mrs Pupatello:** Premier, I don't want you to be afraid to answer the question. You said to reporters yesterday that you agree that this kind of payment is outrageous: \$300,000 for a job that is listed as being valued at \$62,000 to \$80,000. This contract was \$300,000. I ask the Premier, who comes in here claiming to be different from his predecessor, claiming to care about Ontarians—we have elderly and frail people in Ontario who through this same ministry are barely getting one bath a week through home care or in long-term-care facilities. How can you not stand in the House today and tell us that this money will be repaid to the Ministry of Health? Because you and I both agree that \$300,000 is outrageous for paying for a press secretary for the Minister of Health.

Mr Premier, you owe the people of Ontario to do something about this and, most of all, I expect to hear an answer from the Premier today.

**Hon Mr Clement:** As the honourable member knows, there was a contract signed. The contract was for services rendered. The services were rendered, the contract expired, the contract was not renewed and the contract is over. If the honourable member wishes to speak about it, please refer to it in the past tense because it is no longer an active contract with the Ministry of Health.

#### TOURISM

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Tourism and Recreation. Yesterday, Statistics Canada released its report called The International Travel Account on Canada's international trade deficit. The report highlights the difference between how much foreign visitors spend here in Canada and how much Canadian travellers are spending abroad. In today's Globe and Mail, they report that the deficit is at its lowest level since Expo '86, when Canada actually had a travel surplus. Minister, what does this mean for Ontario?

**Hon Cameron Jackson (Minister of Tourism and Recreation):** I'd like to thank the member for Northumberland. This is actually very good news. When we were elected back in 1995, the travel deficit in this country was about \$4 billion. That means \$4 billion of Canadian money was being spent abroad and was therefore a deficit. Under the leadership of our government, we have been leading all other provinces in Canada with tourism recovery and in fact that has now been reduced to a \$30-million deficit.

We're encouraged by that because this is an incredibly powerful part of our economy. It's the sixth-largest export industry, with \$16.7 billion of revenue to this province and \$7.6 billion of foreign exchange coming into Ontario's pockets. By having more revenue, we have more jobs in tourism, we have more opportunities. With more tax revenue being paid for by foreigners, that allows us to spend more on health and education services in our province.

**Mr Galt:** Thank you, Minister, for that very encouraging response. Also, add all that information to all the exports that are going out of our province and it's certainly good news for jobs and the economy here.

I know that many in my community have benefited from welcoming more American and foreign travellers to the province, particularly to resorts like Golden Beach, all the American yachts that come into harbours like Port Hope and Cobourg and Brighton and Quinte West; not only that, but all the yachts that go up the Trent River and stop in at Campbellford and Hastings. What has the province been doing to encourage the people of Ontario to discover the attractions in their own backyard and, at the same time, attract foreign travellers here?

#### Interjections.

**Hon Mr Jackson:** The member for Windsor-St Clair keeps heckling and devaluing tourism, yet I will be in his riding in two weeks working out an arrangement with people in Michigan and Detroit to encourage and promote tourism in southwestern Ontario. In spite of the persistent decline under the David Peterson Liberals and the Bob Rae NDP—you did not understand the importance of tourism to this province—and in spite of the lack of support from the members opposite, we have increased funding by \$40 million for marketing. We're getting real, tangible results. I know the members from the Windsor area do not support their own tourism infrastructure in

their own backyard, but this government is committed to that support.

We've noticed a 13% increase in the number of Americans from Pennsylvania, 4% from New York and we are strategically investing in the Boston, Philadelphia and Washington markets because more Americans are coming to Ontario and more Ontarians are discovering more about their own province, and that's good for our economy.

1520

## LONG-TERM CARE

### SOINS DE LONGUE DURÉE

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Ma question s'adresse au ministre de la Santé. Based on your regulations and your current level of funding, staff of long-term-care facilities allow their residents four minutes to get up and out of bed, washed, dressed and into the dining room. I defy any one of us sitting here in this Legislature to perform these tasks in that time, and we are healthy, independent and able-bodied.

I hold here, Mr Minister, 200 petition cards that members of all sides of the House have also received, and that I will deliver to you shortly.

Elles sont signées par des résidents et des résidentes des maisons de soins de longue durée de mon comté et par leurs familles. Elles demandent une augmentation des fonds d'opération pour permettre l'embauche d'un personnel suffisant pour offrir un niveau de service de base.

Minister, when will your government decide to increase funding to long-term-care facilities so that residents receive at least the minimum level of care services that the average Canadian expects on a daily basis?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Indeed, as the honourable member should know, last year we increased funding on a per diem basis for exactly the kinds of issues the honourable member raised. That was certainly our intention and we followed through. In fact, it was not just a one-time-only funding increase; it was also an increase for this year.

The honourable member mentioned some particular situations. If she has any evidence of maltreatment or mistreatment of any individual in the province of Ontario, please contact us immediately so we can rectify the situation. We do have standards in place that we enforce. If the honourable member has a particular problem with how a particular citizen of Ontario was treated, please contact us at the earliest available opportunity.

**Mrs Boyer:** —bring you evidence to support my statement. Minister, it's not only the long-term-care facilities that are in need of funding, but also the entire program of community care centres across the province.

Tous les jours je reçois de nombreux appels des personnes en détresse qui voient les heures de service coupées au minimum et ne reçoivent pas les soins de base dont elles ont besoin. C'est déplorable.

CCACs across this province have seen their budgets frozen while costs rise steadily. They try to cope with assisting an ever-aging population and patients being discharged from hospitals sooner and sicker than ever.

En tant qu'Ontarienne, j'ai honte de constater les effets néfastes des règlements de ce gouvernement sur les citoyens et les citoyennes qui sont parmi les plus vulnérables de notre société : les personnes âgées et les malades qui ont contribué toute leur vie au développement de notre province.

Again, Minister, when will your government decide to increase funding to long-term-care facilities, and also to home care services, so that those in need receive at least the minimum level of services that the average Canadian expects?

**L'hon M. Clement:** Ce gouvernement a augmenté les standards. Nous avons augmenté nos investissements. We have increased standards, we have increased our investments to these facilities, and for home care the increase has been to the magnitude of 72%. If the honourable member has any particular instances of maltreatment by the system, she should let us know about it.

I would state for the record once again, for the honourable member who does represent an Ottawa riding, that the federal government has contributed precisely zero dollars and zero cents for any of these programs. These are 100% provincial tax dollars. That is our commitment to the citizens of Ontario and that will continue.

## WORKPLACE SAFETY AND INSURANCE BOARD

**Mr Dominic Agostino (Hamilton East):** I have a question for the Minister of Labour. I have a letter dated February 2002 which you sent to the then Minister of Labour, Mr Stockwell, regarding the Workplace Safety and Insurance Board. I quote:

"As an MPP, I am personally concerned about the ongoing precedent that is being set, not only in this case, but in many others that I have heard of and that is that without a paid advocate, an individual has no power in dealing with the board. I worry that we are seeing a systematic denial of cases unless they're pursued by expensive advocates...."

You go on to say, "I would also suggest a sincere review at the WSIB of whether or not systemic discrimination is being exercised against individuals pursuing reviews on their own."

You are now the Minister of Labour. Do you stand by those comments, and what action have you taken to fix that problem?

**Hon Brad Clark (Minister of Labour):** I've already had meetings with the WSIB and the chairman to discuss the concerns that I raised in that letter as an MPP, as well as other issues that have been brought to my attention by other constituents from not only my riding but from across the province.



The WSIB is a program that is actually working extremely well.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Hon Mr Clark:** The members clearly seem to believe that when there are situations where members have concerns or constituents have concerns, the MPP shouldn't have to raise that with the minister.

**Mr David Caplan (Don Valley East):** "Systemic discrimination." That's what you said.

**Hon Mr Clark:** In the statistics currently within the WSIB—and perhaps the member would find this fascinating because in 2000 these were the actual statistics—the injured workers themselves had a 63% satisfaction rate with the WSIB. The employers had a satisfaction rate of 56%. So clearly the satisfaction is up there, but that does not mean that there aren't concerns being raised by individual constituents across this province that we shouldn't look into. That's my job.

**Mr Agostino:** They weren't my words; they were the minister's words. He used the words "systemic discrimination" by WSIB. That's a very serious charge against an agency that you're responsible for and that your predecessor was responsible for. That is serious; I agree with you. Minister, you were right in those charges. I'm glad you acknowledge that.

I want to go further. In the letter you also said the individual "was charged \$2,880.10 by the injured worker advisory program, an amount that obviously comes out of his new settlement from WSIB. I feel this amount should be reimbursed ... given that he was denied from pursuing that review on his own."

Again, Minister, there are thousands of people like this individual who had to go out—because you've cut the assistance programs, because they don't have the representation—spent thousands of dollars to have someone represent him at WSIB appeals. In your letter, you believe this individual should be reimbursed.

Will you guarantee to the House today that you'll ensure this individual gets his money back and also every other individual, the thousands in Ontario who had to rely on outside help in order to fight their cases, will get their money back? Do you stand by what you said here and will you now ensure that this individual and the thousands of others who paid their own money will get their money back from WSIB? You're the minister; you're in charge; you can make it happen. Will you do it?

**Hon Mr Clark:** The difference between me and the member for Hamilton East is I work on issues, I deal with them and I'm not one of these individuals who run around trying to grab headlines and shrilling at the top of my lungs demanding responses. I work for my constituents as the MPP and I work for the people of the province of Ontario.

*Interjections.*

**The Speaker:** Order. Ten seconds left. Come to order, please.

**Hon Mr Clark:** What always fascinates me about the member for Hamilton East is that he can never accept yes

to any question that he raises in the House. I already raised with the WSIB the concerns when they first came in. I'm reviewing the WSIB. I've been here a month.

Ironically for this particular member, if a minister of the crown were to intervene for any individual constituent to deal with a specific matter, he'd be standing in his place crying. I wrote as the MPP for the riding of Stoney Creek. Now I'm the Minister of Labour and I'm dealing with the review of the matter.

## PETITIONS

### HYDRO ONE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly:

"Whereas Ernie Eves is planning to ram through the sale of Hydro One without a mandate from the people of Ontario; and

"Whereas an Ontario Court judge has ruled that the sale of Hydro One is illegal; and

"Whereas Ernie Eves's Bay Street friends will benefit from the sale of Hydro One at the expense of Ontario's working families;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage Ernie Eves to take Dalton McGuinty's advice to put working families ahead of his Bay Street friends by immediately stopping the sale of Hydro One."

I have signed my signature in complete agreement with the sentiments of the petitioners.

**The Speaker (Hon Gary Carr):** Could we stop the clock. On a point of order, the government House leader on the order of business next week.

## BUSINESS OF THE HOUSE

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Pursuant to standing order 55, I have the statement of business of the House for next week.

Monday afternoon's debate will be on Bill 135, hunting and fishing heritage. I'm reading these bills because Mr Conway gave me a tip that that's better to do. On Monday evening we will begin debate on Bill 124, building codes.

Tuesday afternoon will be the Liberal opposition day. Tuesday evening we'll begin debate on Bill 58, reliable energy and consumer protection.

Wednesday afternoon's business will be again Bill 58, reliable energy and consumer protection. Wednesday evening's business will be Bill 124.

Thursday afternoon's business will be Bill 58. Thursday morning during private members' business we will discuss ballot item 47, standing in the name of Mr Arnott, and ballot item 48, standing in the name of Mr

Brown. On Thursday evening the business will be Bill 124.

**The Speaker (Hon Gary Carr):** We're now back in the rotation for petitions.

1530

#### YOUNG OFFENDER FACILITY

**Mr Peter Kormos (Niagara Centre):** I have a petition that reads:

"Whereas the government of Ontario has pushed Kennedy House Youth Services (Uxbridge), an 80-bed young offender facility, out of the provincial public service and into the hands of a private sector employer;

"Whereas the new employer has shown complete contempt for the 130 unionized corrections services staff and has kept them all locked out for almost a year"—since June 2001—"while demanding outrageous concessions;

"Whereas, as a result of the lockout, provincial revenues are being wasted as the provincial government forces the taxpayers of Ontario to pay the Kennedy House operator full funding for the past year, as if this virtually empty facility were operating at capacity;

"Whereas the safety of the surrounding region continues to be compromised by the provincial government and by Kennedy House Youth Services as dangerous young offenders in need of supervision and secure custody are instead given passes or open custody;

"Whereas the few young offender inmates who remained in the facility since June 2001 were provided with little or no programming, thus raising serious concerns about their rehabilitation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the Minister of Community, Family and Children's Services act immediately to resolve this crisis by directing Kennedy House Youth Services to negotiate in good faith with its employees."

I concur with that position and I have affixed my signature.

#### HYDRO ONE

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition here which is also shared very strongly by my colleague David Caplan from Don Valley East. It says here:

"To the Ontario Legislature:

"Stop the sale of Hydro One

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that

carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I'm in full agreement with this and I will affix my signature to this.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have another thousand residents of Don Valley East who have signed petitions in regard to above-guideline rent increases. It's entitled "Fair Rent Increases Now" and it's to the Legislative Assembly of Ontario.

"Whereas the number of tenants receiving above-guideline rent increases is growing exponentially; and

"Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

"Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

"Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

"Whereas tenants should not be receiving rent increases where there are work orders issued for their buildings;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline rent increases once the bills have been paid."

I agree wholeheartedly with this petition and I have affixed my signature to it.

#### HYDRO ONE

**Mr Mario Sergio (York West):** I have another petition with respect to the possible sale of Hydro One:

"To the Legislature of Ontario;

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;



"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I do concur with the content of the petition and I will affix my signature to it.

### COMMUNITY CARE ACCESS CENTRES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to increase community care access funding:

"To the provincial Legislature of Ontario;

"Whereas the Conservative government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by the provincial government; and

"Whereas due to this funding shortfall, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are mostly in home-making services, forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the care services they need."

This is signed by a large number of my constituents in the community of Atikokan in northwestern Ontario. I affix my signature in full agreement with their concerns.

### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** This is a petition about public education, especially timely in light of the Toronto District School Board's refusal to pass the government's cutting measures in public education.

"To the Legislative Assembly of Ontario;

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris," the Conservative government and Ernie Eves, "has been attacking public education for

six" long "years, chopping \$1.8 billion from the classrooms and now wants to pay parents to leave public education for private schools;

"Whereas we believe that this voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly as follows:

"Do not turn your backs on Ontario's working families. Fight Mike Harris's" and Ernie Eve's "voucher system for private schools; fight for smaller class sizes;" last but not least, "fight for public education."

I have affixed my signature to this petition, because I agree with it.

### HYDRO ONE

**Mr John Gerretsen (Kingston and the Islands):** I have a petition that's addressed to the Ontario Legislature, and it deals with stopping the sale of Hydro One.

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I agree with the petition and I have signed it accordingly.

1540

### PODIATRIC SERVICES

**Mr Mario Sergio (York West):** I have another petition addressed to the Legislative Assembly of Ontario and it's with respect to "Foot Care is not a Luxury."

"Whereas services delisted by the Conservative government now exceed \$100 million in total;

"Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded podiatry across vast regions of Ontario;

"Whereas this new government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Ernie Eves government move immediately to cancel the delisting of podiatric services."

I do concur and I will affix my signature to it.

#### HYDRO ONE

**Mr Alvin Curling (Scarborough-Rouge River):** These petitions keep coming. My friend David Caplan also gets thousands of them.

"Stop the sale of Hydro One.

"To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy"—my golly;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned,"—as I tell the page here—"petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

**Mr David Caplan (Don Valley East):** Are you going to sign that?

**Mr Curling:** I will sign that, David, just to make sure that I'm—

#### USE OF EMERGING TECHNOLOGIES IN SCHOOLS

**Mr David Caplan (Don Valley East):** I have a petition. It's entitled Rules Needed Now. I know my good friend and colleague the Attorney General will definitely support this petition. It's to the Legislative Assembly of Ontario.

"Whereas the number of cell phones, pagers and other wireless devices has grown exponentially; and

"Whereas the number of children in our schools using these technologies has also grown; and

"Whereas these devices can be both distracting from an educational perspective and can facilitate criminal activities in our schools; and

"Whereas the Education Act is silent on the use of this technology; and

"Whereas boards of education are not required to develop policies in this area;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's bill entitled the Appropriate Use of Technology in Schools Act at the earliest possible opportunity so that boards of education will have policies in place for our students and for their safety."

I agree wholeheartedly with this petition and I have affixed my signature to it.

#### EDUCATION FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools; fight for smaller class sizes; fight for public education."

I affix my signature, in full agreement with the concerns of the petitioners and in the belief that even with a change of Premier the agenda is the same.

#### WEARING OF HOCKEY JERSEY

**Mr John Gerretsen (Kingston and the Islands):** On a point of order, Mr Speaker, and it's a very important



point of order: We all realize that our beloved Maple Leafs lost on Tuesday, when they bowed to the Carolina Hurricanes. I'm here to tell you that during the series, a friendly rivalry developed between Kingston, Ontario, the birthplace of hockey in the world, and Kinston, North Carolina, which is the same as Kingston but without the "g", which they dropped right after the Revolutionary War. In any event, over the last couple of weeks there have been articles written by Art Milne of the Kingston Whig-Standard and Lee Raynor, the managing editor of The Free Press in Kinston, North Carolina, about the sport of hockey and the goings-on.

As a result of what happened last Tuesday, two citizens from Kinston, North Carolina, will be enjoying an all-expenses-paid trip to Kingston, Ontario. As a result of the loss, Art Milne will have to stand on the rampart of Fort Henry, which was built to protect us from the Americans, wearing a Carolina Hurricanes sweater.

I too made a bet with Representative Philip Baddour, Jr, the majority leader of the North Carolina House of Representatives. So that I may be true to the bet I made with him, being so sure our Maple Leafs would come through and give us that first Cup in 35 years—even though the series was 3-2 in favour of the Carolina Hurricanes at the time, I agreed that if the Carolina Hurricanes won, I would wear a Carolina Hurricanes shirt in the Ontario Legislature.

That's what I'm doing here today. I know that all good Leafs fans everywhere know that it's only another three months until hockey season starts again. We can always say, "Wait until next year." It's only been 35 years since we won the last cup, and we will win next year.

**The Deputy Speaker (Mr David Christopherson):** As interesting and timely as that may be, it's definitely not a point of order. I will tell the member, though, that if he wants to wear the sweater, he will have to seek unanimous consent.

*Interjections.*

**The Deputy Speaker:** Are you asking for unanimous consent?

**Mr Gerretsen:** I am.

**The Deputy Speaker:** Is there unanimous consent? The House is in a very generous mood today. Unanimous consent is granted.

## ORDERS OF THE DAY

### PROHIBITING PROFITING FROM RECOUNTING CRIMES ACT, 2002

#### LOI DE 2002 INTERDISANT LES GAINS TIRÉS DU RÉCIT D'ACTES CRIMINELS

Mr Young moved third reading of the following bill:

Bill 69, An Act to protect victims by prohibiting  
profiting from recounting of crime / Projet de loi 69, Loi

visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels.

**The Deputy Speaker (Mr David Christopherson):** I'd like to remind members that pursuant to the order of the House dated May 27 this year, 60 minutes has been allotted to the third-reading stage of Bill 69. The time will be split equally among the members and, at the end of the 60 minutes, I will be required to put the question.

Attorney General, you have the floor.

1550

**Hon David Young (Attorney General, minister responsible for native affairs):** We are present in the Legislative Assembly today to wrap up debate on this very important bill. Bill 69 is important in a number of different ways, but it must be viewed, in my respectful opinion, as another component, another piece of an overall plan that this government has come forward with and implemented over the last number of years.

As I had an opportunity to say just the other day in this Legislative Assembly, we now have in this province over 40 programs in numerous ministries operating every day to assist individuals who find themselves as victims of crime. We spend in excess of \$145 million each and every year to support these programs and to support victims of crime.

What we have here is indeed a paradigm shift in the sense that we've come from a point where, frankly, victims had little or no voice at almost any stage of court proceedings, to the point we are at now, where victims are important during police investigations and during court cases. Indeed, as this bill demonstrates, the Ernie Eves government believes they are important thereafter.

We cannot expect, just because a charge is laid or just because a court case ends, that the victims are all of a sudden whole, that they are as they were before the crime was committed. Quite the contrary, the suffering continues—the suffering that arises out of traumatic experience, many times as a result of unimaginable, heinous crimes. What we must ensure is that we do everything we can to support those individuals.

There are some things we cannot do, no matter how powerful the courts are and no matter how powerful this Legislative Assembly might be. One thing we cannot do is reverse the wrong that was done. Often you can in civil cases; sometimes money will remedy a commercial wrong. But you cannot when you're talking about a crime of the sort we are talking about here. Nothing can give back to those victims what they lost. So what we must do as a government is make a difference. We must ensure wherever possible that victims will not be re-victimized, and we must ensure that criminals do not profit as a result of their illegal activities.

The bill that is in front of this Legislative Assembly this day is designed to do just that. It is a bill that indeed resembles laws that have been introduced in a number of different jurisdictions in the United States of America, and those laws have operated quite well. It is a bill that would help prevent criminals from making money, whether it is a dollar, a penny, a nickel or a dime. It is de-

signed to prevent criminals from making money recounting their crimes in any type of medium; I'm talking about media interviews, books and movies.

On the approval of a court, any money generated by a criminal who has written or recounted his or her crime would be forfeited, if this bill passes. A fund would be established, and the forfeited money would then be made available to victims of crime. I said before there was only so much that we as legislators can do. This is something we can do.

As I said, there are other jurisdictions in which this type of law has operated, but none in Canada—not one. It was attempted at the federal level, but for various reasons it never became law. But the Ernie Eves government of Ontario recognizes just how important it is to have an act like this in place that will ensure that no criminal benefits financially from their criminal activity.

We consider that even a few instances of this sort of profiting are a few instances too many. It is unacceptable for the criminal to benefit in that way, it is certainly unacceptable to the victims and indeed it is unacceptable for us as a society to allow that to occur even once. This bill, once again, is designed to take the profit out of crime and should be viewed together with numerous other bills we have brought forward, including our organized crime bill, which I'm proud to say passed late last year and was proclaimed in the spring this year. It is a bill that I hope will make a difference and remove the lifeblood of organized criminal activity in this province, and that indeed is money.

The bill that is in front of this Legislative Assembly says that anyone who enters into a contractual arrangement with an individual who has committed these types of serious crimes would be expected to provide information to the authorities about the contract or the agreement they have entered into. A publisher or any party to a contract—this is a contract with a criminal, an individual convicted of a serious violent crime or a serious property offence to which this bill applies. Any of those individuals, publishers or corporate entities would be required to report their contract. If they fail to do so they face a fine of up to \$50,000. Contracts to which this bill applies, whether entered into before or after criminal conviction, could include the use of a document that may be related to a crime, an interview with a convict or an appearance of the convicted person to recount his or her crimes.

I have to pause here to give credit where credit is due. As we go back in history—and I think about one of my predecessors in this position, Minister Flaherty when he was Attorney General. He brought forward this legislation in essentially this form and did a marvellous job advocating on behalf of victims in many respects.

I should also reference the fact that if this bill is passed it would build upon the current legislation—indeed, visionary legislation, in my respectful opinion—introduced by one of my colleagues and indeed one of my friends, the Honourable Cam Jackson. Mr Jackson said in this Legislative Assembly some considerable time

ago that it was necessary to make inroads to protect victims in similar situations. He spearheaded a campaign that resulted in legislation that did in some respects curtail the sort of activity that I have addressed today: the activity of a criminal who comes forward and attempts to profit financially from their crime. He agrees with me, with the government and with Premier Eves that this bill is an improvement. It is a logical next step. It is where we must go as a society. It is where we must go as a government. So I give credit to Mr Jackson for coming forward with this initiative when he did, for helping us further develop it and for supporting it at this stage, because indeed this is a vast improvement, as he has indicated and as I am pleased to indicate to you today.

I also want to pause to talk a little bit about the debate that has preceded the discussion we are having today in this Legislative Assembly, because I know the member for Niagara Centre—or somewhere like that, Mr Kormos—has gone out of his way to stand in this Legislative Assembly and to indicate there has been insufficient time allocated for the discussion of this bill and what it represents. I know he has difficulty with it. He has difficulty with everything this government, frankly, has tabled since 1995: 199 tax cuts and so on and so forth. Indeed, he had difficulty when the NDP government was in place with many of the things they put forward. One can draw their own conclusions as to whether or not that relates to his character or other factors.

I would say to you that anyone who cares to consider his submissions that were made not too long ago in this Legislative Assembly, submissions that suggest we have not talked about this enough, should pause and consider the number of speeches that have been made about this bill and it's predecessor, which is essentially the same bill, in this Legislative Assembly. I did. I stopped, looked and counted. By my calculation, we have had more speeches about this bill in this chamber than there are members in this chamber. In fact, if we talk about the third party—and by my calculation they have nine seats—they have made 26 speeches to date. My friend opposite went on at some length about the fact that it's not fair because there is a member of his party who wasn't afforded an opportunity to speak to this bill. You said just that. I heard you and frankly I was concerned. What I did was I went and checked. What I found is there is inequity in the process, but it is the process within the third party that is inequitable, not the process of this Legislative Assembly. As I look, there are some who decided they needed to speak on numerous occasions in spite of the fact there are others in opposition parties who, for various reasons, were never afforded an opportunity to speak to this very important bill.

**1600**

I'll just give you some indication of how the numbers break down. The member from Niagara, who raised these concerns, has spoken no less than six times—six times. It was interesting reading through the debate, because indeed he spoke about various subject matters, with your



leave undoubtedly—not just you, Mr Speaker; I mean Speakers collectively have been very liberal, for want of a better term, in allocating time to this gentleman. So he has spoken six times; Ms Martel, 10 times; Mr Martin, five times; Mr Bisson, four speeches. He delivered four speeches on this very important bill.

The Liberals, by the way, have spoken 33 times about this bill. Our party indeed has stood in this very important chamber and has addressed this issue 22 times.

I will pause to tell you my theory of governance. I believe that every individual in this Legislative Assembly, every one of us who has the privilege to come forward and represent the interests of their constituents does so with the best of intentions. There may be, from time to time, exceptions, I will pause to say that, but they're few and far between. Most of us come forward in an effort to do the right thing, to make a difference, to leave the province in a better state than we found it.

What happens when you become the government, as I have learned from my readings and to some degree from my experience, is that there is this great push to study, to consider, to reconsider, to debate, to debate some more, to debate 22 times or 33 times, or, in total, 9.5 hours of debate. Eighty thousand words of debate have been dedicated to this bill today—80,000 words of debate, 127 pages of Hansard. And anybody who's ever seen Hansard knows we're talking about a very small font.

What we find is that there is this great push, usually from the opposition, to debate and to debate and to debate further, and then to discuss, and then to send to a committee and then to have the committee travel and come back and report and debate some more. Indeed, sooner or later one has to be ready to make a decision. Sooner or later one has to be ready to change the province, to change the way things were when we first arrived in this very important building. And that time is now, particularly with respect to an issue as important as this one.

What we are talking about is whether or not at the end of the day criminals, individuals who have had their due process, individuals who have been in front of the court, have had their day in court, have had their counsel, have had considered whether or not the charter has been offended at some point in the proceeding, are convicted beyond a reasonable doubt. We are here today to discuss whether or not those individuals who have committed some of the most serious crimes in the Criminal Code, indeed some of the most serious crimes imaginable, should be able to profit from their activities. I say no, I say never, if we can prevent it as a Legislative Assembly.

I would say to you that I think this bill represents a good balance, an acceptable balance for us as a society, so that if an individual criminal or a group of criminals, for that matter, are desirous of writing about their activity—and if there are people out there and companies out there who believe this should be written about in a magazine or as the subject matter of a play or a movie or a television show, well, indeed, there are instances where that may actually occur. But what will not occur, if this

bill passes, and what is unconscionable and must not be allowed in any instance, is for those individuals who committed those serious crimes to profit as a result of the pain and the agony and the suffering of their victims.

As I said before, this bill's focus is indeed on protecting victims. This bill's focus is on ensuring that criminals do not profit by recounting their crimes. Bill 69, which is the bill that we are debating here today, is a very important part of our cohesive strategy to stop criminals from making money as a result of their illegal activities and, as I indicated earlier, must be looked at in totality, must be looked at as part of what I believe is a comprehensive plan, a plan that was contemplated in the Blueprint, which is a document that we as a party put together, a written document that we put to the people of this province in the 1999 election and were prepared to be elected or not be elected based upon whether the majority of individuals in our particular ridings said yea or nay. We said in there very clearly that we must speak out for victims.

We promised in the Blueprint to support victims, and I say to you we have kept that promise and we have kept it in a number of different ways. If this bill passes, this province will be a better place. If this bill passes, those of us who decided to put our names on ballots in various parts of this province and who were privileged enough to succeed and be present in this Legislative Assembly will have made a difference.

It is one more step to help us achieve our overall goal of supporting victims. There should never be any doubt: the job isn't done and, frankly, the job will never be done. It is one more step to help ensure that criminals do not revictimize the individuals and the communities they have already harmed, individuals and communities that have an ongoing trauma that doesn't end at the conclusion of the crime and doesn't end at the conclusion of the court case. And it's one more step to help prevent criminals from benefiting financially from their activities and from the pain they have caused to individuals and to families and to communities.

It's for that reason I'm here today, Mr Speaker, to speak in favour of this bill, which of course comes as no surprise to you; I suspect it comes as no surprise to any other member of the Legislative Assembly. We in the Ernie Eves government believe very strongly that this bill should be passed. It should be passed because it will assist us—and I say "us" in a collective sense as legislators, not just from one party—in accomplishing what it is that I believe we set out to do, what it is that the vast majority of us in this Legislative Assembly intended, and that is to leave the province in better shape than we found it.

In my discussions with individuals and with victims' groups and with the police—as recently as this morning, I met with the Police Association of Ontario. I indicated in passing that I would be speaking to this bill later in the day, and I heard from three representatives of that excellent organization that they were hopeful this bill would pass and they were hopeful that I would have an

opportunity in my comments today in this chamber to reference their support. The police are supportive of this initiative.

Indeed, with that, I will take my seat and ask all members of this Legislative Assembly to put their partisan political agenda aside and support this very important bill and support victims across this province and make this province a better place to live in, to work in and to raise a family in.

**Mr Bart Maves (Niagara Falls):** On a point of order, Speaker: I would just like the Legislature to welcome from my riding Ian and Faye Greaves and their son Peter. Peter is a grade 4 student at Diamond Jubilee. He's doing a project on the provincial government and he's here to get a first-hand look. So welcome to the Greaves.

**The Deputy Speaker:** That's not a point of order, but your guests are certainly welcome to be here and I would extend that on behalf of all members.

The floor is now open for further debate.

1610

**Mr Michael Bryant (St Paul's):** Dalton McGuinty and the Ontario Liberals support this bill. We supported this bill when it was first introduced and we still support it now. I want to say right now, though, that the principle behind the bill has to be supported, and if I thought that the bill was going to be effective, I would stand up and congratulate the Attorney General for bringing forth a bill that will make a difference. He said he wanted to make a difference.

Let's be clear: I hope this bill makes a difference. But all of our experiences, since we've had these existing rights—because this right for a victim to recoup profits from someone who has perpetrated a crime has existed in the common law and through our courts certainly for decades and via legislation since 1995. If, since 1995, when a very similar law was passed and proclaimed in Ontario, it in fact was used a number of times and it needed some improvement and it needed to be expanded, or maybe needed to close some loopholes that were being taken advantage of by criminals, then I would say, "This is a great bill." In fact, since 1995—I don't know if you know this; I say this to the government—there are no reported cases in which the Jackson bill on prohibiting profits by recounting crime has ever been used.

The 1995 bill was a dead letter and I think Mr Jackson passed it because he wanted to make a difference and he wanted to effect change and he wanted to create deterrence. It was also at a time where politically around North America the issue was very alive. The original laws along these lines were called Son of Sam laws. I don't want to get into the history of that, but the purpose, again, was to stop criminals from being able to profit from telling stories about their crime, whereby the victim gets revictimized.

The law gets passed in Ontario, and you would think, given—I'm sorry, I didn't write down the number of hours spent debating this bill—the number of times it's been introduced and reintroduced and debated but never passed, that maybe the 1995 bill would have some effect,

and it just hasn't. You have to ask yourself, is the government perhaps bringing this bill forward, introducing and passing this bill because they want to look like they're doing something for victims of crime when in fact there's nothing else for them to do for victims of crime?

I don't want to be cynical, but this bill was originally introduced in December 2000. It was one of a handful of bills, and I mean literally a handful—I believe it was four bills that then-Attorney General Flaherty introduced all in one week or a ten-day period. It turns out that he became the Finance Minister within about six weeks. I don't know if he knew at the time. But it did seem unusual that he would introduce a whole whack of bills. One of them was this bill. Of course, it died on the order paper. It was seen, at the time, as a paper tiger. When it was reintroduced by Attorney General Young, it hadn't really changed. It remains, in my view, a paper tiger.

Yes, I will support it, because the principles I support. Again, if I thought it would make a difference I would say, "Hip hip hooray," but in fact if we want to help out victims of crime, don't be fooled. This bill is not going to advance the cause. While it's always a great thing for a government to let its views be known and let its principles be put on the record, and there is some value in that, to spend legislative time to work on this paper tiger over and over again suggests to me that this is the government trying to look like they're doing something for victims of crime when they are not.

I should also say, I don't think, with all due respect to the Attorney General, that citing the number of hours spent in debate really advances the case in terms of the priority accorded to this particular issue. If in fact this was a priority bill and if in fact getting this passed and making a difference was a priority for government, then why, when this bill was introduced in December 2000, are we still debating it here in late May 2002? This is a priority bill. This would have been passed very quickly. Too quickly? I hope not, but we would have had second reading, we would have third reading. Along the way it would have gone to committee, I would have hoped, or if in fact there were no amendments and there was agreement by all three parties, we would have proceeded ahead and it would have passed.

Maybe it would have passed in the spring of 2001. That would have said, "Oh, yes, this is an important bill; this is a priority bill. We'll pass it in the spring of 2001." But they didn't. OK, there were lots of things on the go, I guess—although, remember, this was a time of major drift for this government, the spring of 2001.

Then we move into the fall. "Well, maybe they'll do it in the fall"—or the winter, I guess, because there was a long time there. We didn't get back until then. "Maybe it will pass then, at the end of 2001." And it didn't pass then. It still didn't pass. It didn't move forward.

Now it's before the House and, granted, we're here debating it at the end of May. If this was a priority, then I don't think it speaks well for the government's commitment to this priority, the helping of victims, that they



would introduce a bill, recycle it, reuse it, reannounce it, and then we find it's back here yet again. It suggests to me that this was a bit of a smokescreen. And it is a bit of a smokescreen, because there are very important issues affecting victims of crime which I personally am very supportive of, that I hope the Attorney General supports too, and we need to move him along. I want to talk about a few of them right now.

First, let's talk about the victims' justice fund. A \$50-million victims' justice fund was announced by the Ministry of the Attorney General on June 27, 2000. The fund is financed by victim fine surcharges and was supposed to be spent on services for crime victims. That's good news, because victims of crime need those services. That money is needed for a variety of services in a variety of places across Ontario because, among other things, we don't have a victims' service standard, if you like, for all parts of the province. That's the subject of another matter which I'm going to get to in a moment. Also, these services are currently underfunded. So this announcement was good news.

How much of that \$50-million victims' justice fund announced in June 2000 has been spent to date? How much would you think was spent? Maybe 80% of it, 90% of it? I would hope so. You make the announcement in the spring of 2000. Surely you wouldn't want to make the announcement and look like you're just making an announcement and not spending. You would never do that, because that would be extraordinarily cynical.

**Mr Peter Kormos (Niagara Centre):** And people would call you the popular name of a Jim Carrey movie.

**Mr Bryant:** Right. Unfortunately, in the nearly two years—and we're getting on to the anniversary date—that have passed since the announcement of a \$50-million victims' justice fund, more than 90% of that fund is still being held back, and without any explanation. There has never been an explanation to the stakeholders, there's never been an explanation to the Legislature, as to why 90% of a \$50-million commitment to victims is being held back.

I sure hope it's not being held back because it's not going to be spent, because that would be breaking the promise to victims of crime. I sure hope that money is not going to be diverted over to balance the budget, that it's not going to be part of another reannouncement for the victims' justice fund and we won't see that for some time. That would let down victims and that would break the government's promise to victims of crime.

Next, Bill 89: I introduced a private member's bill, Bill 89, Respect for Victims of Crime Act. The purpose was to provide teeth to victims' rights, because right now there are no teeth. The government's Victims' Bill of Rights has been held by the Ontario Superior Court of Justice to be just a statement of policy, that it is unenforceable. I think the words are "beguilingly clothed" as a statement of policy. The judge said "beguile," meaning that the government was perhaps trying to fool people—it certainly fooled the victims who were before that court—into thinking that in fact they have some en-

forceable victims' rights, but they don't. Any suggestion that the Victims' Bill of Rights is somehow an enforceable bill would be incorrect. That would not be true.

Furthermore, we need to have a victims' service standard in Ontario so that a victim in Toronto is getting the same level of service as a victim in Nipissing, Sudbury or Sault Ste Marie. Across the province we should all have the same standard, which only makes sense, I think.

1620

Second, I think we need to have enforceable victims' rights. That's what Bill 89, my private member's bill, does. I encourage the government—and let me say that loud and clear—to come in with their own bill along the same lines. That would be a good thing and I would support that bill, believe me. But that's something we could be doing right now. We could be debating that, we could be passing that. That would do something for victims of crime, not this paper tiger.

Identity theft: I've introduced a private member's bill, Bill 26. It would help victims of identity theft basically get their legal identity back. Identity theft, as you may know, is the fastest-growing crime in North America. The Ontario privacy commissioner and Canada's privacy commissioner have both said that it is the fastest-growing crime. The OPP has estimated that there are as many as 1,000 victims a month of identity theft in Canada, which, if you extrapolate population-wise, means there are thousands of victims of identity theft in Ontario every year. This is a problem.

Well, this is a tough-talking government on crime. I have no doubt that this government would be all over this. Right? Wrong. This Bill 26 that I have introduced would help out victims of crime. The government, on the other hand, has done nothing to help out victims of identity theft.

I'm talking about helping victims get their identity back. I know of one person who called my office looking for assistance in getting help from the administration of justice, from our justice system which she pays for through tax dollars, to get help getting her identity back. If she was a victim of a break-and-enter in her house, the police would investigate and the police would no doubt, among other things, try to get whatever was stolen back. Incredibly, identity theft is one of those crimes where unfortunately this government is behind the times and not ahead of the crime. Organized crime has got the jump on this government and victims cannot turn to police or any other source of assistance to get their identity back. There's no way. We need a mechanism.

Right now really the only official way you can do it is you have to wait for a conviction and then presumably only through the sentencing order or otherwise would you end up getting your identity back officially so you can hand the court case around to your employer, other employers or other people who think that your stolen identity is in fact not stolen. But that doesn't exist; that's the purpose of Bill 26. Again, I hope the government does something on it and moves forward on it.

That bill actually wouldn't cost much at all, I would say not a cent. We could make Bill 26 the law of Ontario and it would just be the administrative costs of the prosecutors—I'm totally open to amendments—or the Deputy Attorney General or whoever providing a certificate indicating this person has been a victim of identity theft and that this person in fact is, you might say, the real McCoy.

Lastly, if we were serious about victims of crime, not only would we be helping victims after the fact—which is really the whole purpose of the victims' rights movement, of course. The purpose of it was that our criminal justice system was, in effect, revictimizing the victim. Somebody had become a victim of crime and then they entered the criminal justice system and they found themselves revictimized, either because of the way they were treated—by which I mean by commission; they were improperly treated by our criminal justice system—or by omission—the criminal justice system ignored them.

Thus, we got victim impact statements. That was a big step in the victims' rights movement whereby people would have a say. They wanted to have a say in the sentencing. Part of my Bill 89, the respect for victims of crime bill, makes it mandatory that victims be given the opportunity and that we provide the resources to ensure that they get the opportunity, and perhaps the assistance from the crown, to provide a victim impact statement.

It's one thing to say that everybody's got a right, but it's another thing to actually give them a real opportunity, with teeth, that's enforceable. That's the purpose of the respect for victims of crime bill introduced by Ontario Liberals. That would help victims.

Not only do we need to be helping victims after the fact, but obviously we want to be preventing crime. I know that victims of crime not only want to advance the victims' rights movement and agenda, but they also want to prevent the number of victims of crime that there is in Ontario and across the country.

Along those lines, I say that if there is an unmistakable difference between the approach of the government to crime on the one hand and the approach of Dalton McGuinty and the Ontario Liberals on the other hand, it is over this issue of crime prevention. Dalton McGuinty and the Ontario Liberals seek to stop crime in its tracks and the way to do that is to prevent crime before it happens. The general approach of the government under Mike Harris and I presume under Ernie Eves—of course under Ernie Eves; he was the right-hand man of Mike Harris—has always been to throw up these phony deterrents. The squeegee bill has got to be the most obvious example. We need to be investing as much as we can to ensure that we crack down on organized crime, yes, but also to prevent crimes. I think that the ounce of prevention and preventing crimes is what Ontarians actually want.

It is interesting; Professor Anthony Doob at the University of Toronto department of criminology said at the Ontario Liberal caucus Niagara conference—I realize

it was the Liberal caucus conference. However, he is a professor of more than some note. He's a criminologist and he was providing a scholarly opinion. It wasn't a partisan opinion, it was a scholarly opinion. He has said it on more than one occasion, but I heard him say it there loud and clear, that if a government was seeking to try and ensure that there was more crime in a province, they would undertake the particular approach that has been undertaken by this government: no prevention, phony crackdowns and pushing today's squeegee kid into the criminal underground so that today's squeegee kid is tomorrow's crackhead, and this is a real problem.

What happens to these squeegee kids that they hope to sweep off the street? Where do you think they go? Do you think they, boom, suddenly clean up and they're working at The Gap the next day? It doesn't work that way. More than 60% of these people are in fact suffering from—"suffering," that's not the word. Sixty per cent of these people find themselves in situations where there is addiction or there is a major problem at home or they are being abused or, as I said, they may be addicted to narcotics or alcohol. In these situations, these people need to be put on the path of a more productive life. If what you do is try and throw them in the slammer, you're not putting them on the path of a more productive life; you are driving them from one area of crime to another.

So where do they go? To the drug trade, to the sex trade. Where do they go? They go to property crimes. Where do they go? They may find themselves involved in organized crime, and I'm not talking about the Sopranos. They are at one end of a very long organized crime chain where they're committing crimes. It's inexcusable—of course it's inexcusable—but in fact we've taken the squeegee kid and we've turned him—anyway, the point being the government is engaging in activities which are not helping to prevent crime.

Surely what the people of Ontario want is to prevent crime, as well as helping victims of crime. Of course we've got to crack down on crime; we've also got to crack down on its causes.

Dalton McGuinty and the Ontario Liberals want to crack down on crime and its causes. We support this bill because it supports principles that will, at least in theory, protect victims. But again, I repeat, my great concern is that this bill is going to have little to no effect in terms of furthering the cause of victims of crime, that in fact this is yet another paper tiger being introduced by this government, a smokescreen such that when it comes to victims of crime in Ontario, the Harris-Eves government is all talk, no action.

**The Deputy Speaker:** The floor is open for further debate.

1630

**Mr Kormos:** I felt incredibly badly listening to the Attorney General, wherein the Attorney General explained that because of my interest in speaking to this bill, some of my colleagues, because of his time allocation motion, have been denied their opportunity to speak to the bill. So I want to apologize to my colleagues, but I



want to indicate quite clearly that responsibility for my colleagues not being able to fully address this legislation lies with this government, which persists in using time allocation motions designed to avoid debate—not just shut it down, but to avoid it. You see, this government has a very different view of governing. This government doesn't believe in first, second and third reading. This government has no respect for the time-honoured and proven tradition of submitting legislation to the test of debate.

I was sitting here listening closely to the Attorney General, doing my best to try to understand his logic. I noted that he didn't speak once about the fact that this Bill 69 repeals Bill 210. Look what this government is doing when it talks about the rights of victims. By repealing Bill 210, what bill is it repealing? It is repealing a piece of legislation called the Victims' Right to Proceeds of Crime Act. This government is repealing that bill, repealing the law that the New Democrats passed in 1994 as a result of backbencher opposition member Cam Jackson presenting it as a private member's bill. This government is not enhancing victims' rights; once again, it's detracting from them.

Under Bill 210, the Victims' Right to Proceeds of Crime Act, the New Democratic Party government in 1994 established that a victim had a clear right to proceeds obtained by a criminal as a result of his or her publication or recollection of the crimes they were involved in. It had the effect not only of depriving the criminal of the money but making sure that it went to the victim, and this government is repealing that legislation.

The Attorney General didn't tell you that, did he? The Attorney General didn't tell you that similar legislation was being considered in the federal Parliament until it was struck down by the Senate—an unelected body, I acknowledge. The Senate said that it couldn't countenance legislation that was so clearly in violation of, among other things, the freedom-of-expression rights expressed in the Charter of Rights and Freedoms.

We'd better be very careful about what we're doing here. Some of you may have read books by the author Roger Caron. The first book he wrote won a Governor General's award and, if I remember correctly, was a recounting of, among other things, his life in Guelph Reformatory as a teenager. Go Boy! was the title of the book. Caron, who, sadly, obviously remains a career criminal, hasn't been able to stay on the outside very long before he finds himself back in. He's suffering from some serious illnesses, but is an acknowledged and very important Canadian writer. He also wrote Bingo!—you'll remember that one, about the riots in Kingston—and at least one other book, which have received acclaim as important literary work. But as well, clearly, from the point of view of Caron, he recounts, recollects elements of any number of crimes—and he's committed more than a handful.

The government has an exemption in the application of its Bill 69, and that is that you can recount your crimes for money and be able to keep the money. This

government is letting criminals keep the money if, for instance, they lecture to other criminals. Isn't that pretty nuts? It's right there in the first part of the bill. Bill 69 lets a criminal be paid for recollections of his or her crime as long as they recall them for the purpose of other criminals—inmates in an institution. I simply think that's not very bright.

One of the problems this government has is with respect to its lack of credibility. Nobody believes you when you talk about being on the side of victims. I ask you, has this government, since 1995, demonstrated anything that would permit us to conclude that it's on the side of abused women, victims of domestic violence? I think not. This government's record is beyond dismal and in itself is criminal. It has abandoned funding for second-stage housing, so critical in the rescue and survival of victims of domestic violence. Its slashing and hacking at social assistance we know has forced women back into violent households, only to be subjected to yet more of that routinized violence and victimization.

This government's Victims' Bill of Rights? What a crock. Judge Day—there are members of this assembly who could recite him word for word—had nothing but words of disgust for what this government championed as its Victims' Bill of Rights when Ms Even and Ms Vanscoy litigated, sued the government to try to have their rights as victims enforced. The government's own lawyer went to court and on behalf of the government and in defence of the government argued that the bill had, in and of itself, no protection for victims that could be anywhere near what would be considered as rights. Yet this government has the gall to champion that Victims' Bill of Rights—and still does—as somehow reflective of a sincere commitment to victims. I think not.

This Bill 69 repeals good law that gives victims rights to the proceeds of a contract entered into by the perpetrator of the crime against them. That's the law that's going to be hauled off the books. That's the law that's going to be scuttled. What does Bill 69 do? I'm sure I could go on for five hours, if I were permitted to. Five hours would probably be a minimum to thoroughly analyze the negative impact, but I have little more than five minutes. I merely have twice five minutes. I have but 11 minutes and 36 seconds left.

When the tradition, when the history of second and third reading has been to permit thorough debate around an issue, this government thinks that somehow it can just disregard third reading, because after all the government has a majority, and if push comes to shove, and it always does, they'll impose a time allocation motion.

One of the problems here is that the members of this government—the popes—probably tend not to take a look around them. I was just looking the other day. You see that Latinism up there, the one that says "*Audi alteram partem*"? It's there for a reason. Do you see it up there? It tells the members of this assembly, "Hear the other side." But no, this government has no interest in listening to the other side. They have no interest in protecting the great traditions of Parliament and the democratic relevance of those traditions.

Here today we find ourselves again, sadly—again, far be it from me to suggest motive—with the Liberals in accord with the Conservatives. It's so sad to see the official opposition time after time voting with this government, encouraging and promoting the government's own agenda. How many times have we seen Liberal members stand up and want to pass government bills with unanimous consent, without any debate?

They intend to vote for it. They're not saying, "Just put it to a vote." They say, "Support it." Good grief, it's sad. It was sad. I've watched the Liberal Party at Queen's Park metamorphose from strong opposition to being deep in the back pocket of the Eves Tories. Why, Liberals are so deep in Eves's back pocket that they're spitting out lint. It's an old one, isn't it?

1640

Time after time, and today again, we've got the Liberals supporting this government's repeal of the rights bill that that New Democrats introduced based on a Tory backbencher private member's bill. The Liberals are supporting the repeal of the Victims' Right to Proceeds of Crime Act. Why would the Liberals want to abolish victims' rights to the proceeds of the crime that they were a victim of? Why would they want to abolish that legislation? I can't for the life of me understand why Liberals would want to stand here and proclaim their concern for victims, that somehow they can do it better than the government, yet they're with the government, they're ad idem. They're singing from the same hymn book. They're of one voice with the Conservatives.

There they are, Liberals, Tories, arm in arm, shoulder to shoulder, marching forward. Different political parties, same agenda. What is going on? I don't want to transgress into federal politics. I don't want to deviate away from the focus of this debate, which is on Bill 69, and start talking about what's happening on Parliament Hill. Have you read the papers lately? Yikes. Talk about—you read the papers lately? Mr Eggleton is old news already. Now you've got the guy calling the RCMP to give his brother, with his—what was it?—hotel business, give him some sort of contract—a cabinet minister. These aren't—what do they call them?—anomalies. These aren't anomalies; this is a pattern.

I know some crown attorneys who would call it similar fact evidence, who would indicate that there's a pattern. This government's demonstrated a pattern too. Tories here at Queen's Park have some clear patterns. They don't like debate. They use time allocation motions to discourage debate, and they're so disorganized, these guys couldn't organize a drunk-up in a brewery. The Tories simply don't have an agenda. They're just plugging in little holes and little pieces here and little pieces there, and then they're embarrassed.

Look what they did earlier today with that omnibus bill, the omnibus bill promoting legislation that in December the Liberals wanted to see passed, sans debate. "Sans" is French for "without." Without debate. But today it was a different story.

I listened to the Liberal justice critic, for whom I have great regard, and I count on him for his counsel. I

listened to his comments about Bill 69 a couple of days ago, and he was criticizing Bill 69. I thought, good for you, justice critic for the Liberal Party, your wisdom and your skill as an advocate, as an MPP is—

**Ms Marilyn Churley (Toronto-Danforth):** Don't go too far, now.

**Mr Kormos:** Wait a minute—as a lawyer, is helping guide your Liberal caucus away from their collaboration with the Conservatives. Right? Co-conspirators, if you will.

**Ms Shelley Martel (Nickel Belt):** Accomplice.

**Mr Kormos:** Ms Martel says "accomplice." Well, we're talking about crime, huh?

I told you this the other day; I'll tell it to you again. If I thought for a minute that this Conservative Bill 69, the one that's called An Act to protect victims by prohibiting profiting from recounting of crime, would prevent Mike Harris from writing his memoirs, I'd encourage my caucus to support it; I would. If I thought for a minute that this would prohibit Ernie Eves, after he's finished his career here at Queen's Park, from being paid to appear on talk shows, we'd support it.

**Mr Bryant:** Stop trivializing victims.

**Mr Kormos:** Well, I tell you, this doesn't prohibit criminals from recounting their crime. It doesn't even come close. As a matter of fact, this bill at the end of the day encourages television networks and movie production networks to simply become more creative to divert any payment they've made to a criminal outside of Ontario—do you understand what I'm saying?—so that the victim can never see the money. Under the existing law, if a criminal is paid, let's say, \$50,000 pursuant to a contract, it's directed immediately to the victim or held in trust solely for the victim. The bill the government is proposing now, the one the Liberals support, is a confiscatory piece of legislation. It's Stalinist because it steals the money from the victim. It goes into the government's pockets.

You've heard the world's three great lies, right? "Your cheque is in the mail," "Your money cheerfully refunded," and, "Hi, I'm from the government and I'm here to help you." I have no interest in government using some sort of meat chart to decided whether one of my constituents, as a victim, conceivably, of a horrendous crime, will get this much or that much—by applying a meat chart—and then pocketing the rest.

What Bill 69 does: it not only permits but compels the government to pocket proceeds at the expense of victims. I don't think this bill is about protecting victims. I think this bill is a money grab by the government. It does the exact contrary of Bill 210, the 1994 legislation, which was a rights bill for victims. It ensured the victim's right to having the proceeds obtained by any criminal. This government is repealing that bill. Anybody who is supporting Bill 69 is repealing Bill 210. Somehow the Attorney General doesn't think this should be debated. Somehow the Attorney General goes, "We've talked too much about this bill. Give us our way."



The other thing—come on, let's face it—it's part of a spin-doctoring propaganda campaign, the law and order: "Oh, man, yes, law and order. This government is real tough on criminals like squeegee kids with the purple hair and the earrings. Oh, yes, we're going to"—as Mr Marchese would say—"whack the squeegee kids." But they haven't done anything for victims, have they? "We'll get tough with squeegee kids." That's it. "We'll fix those squeegee kids." When it comes to victims, you can ask Ms Even, you can ask Ms Vanscoy, about what this government has done not for, but to, victims.

Ergo I move adjournment of the House.

**The Deputy Speaker:** Mr Kormos has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1649 to 1719.*

**The Deputy Speaker:** All those in favour of the motion will please rise and remain standing until all are counted by the Clerk.

Those opposed will please rise and remain standing until all are counted by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 14; the nays are 30.

**The Deputy Speaker:** I declare the motion lost.

Pursuant to the order of the House dated May 27, 2002, I am now required to put the question.

Mr Young has moved third reading of Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime. Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

All those opposed, please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1721 to 1726.*

**The Deputy Speaker:** Those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bountrogianni, Marie  
Bryant, Michael  
Caplan, David  
Clark, Brad  
Clement, Tony  
Cordiano, Joseph  
DeFaria, Carl  
Duncan, Dwight  
Ecker, Janet  
Elliott, Brenda

Eves, Ernie  
Flaherty, Jim  
Gilchrist, Steve  
Gill, Raminder  
Hastings, John  
Hudak, Tim  
Johns, Helen  
Marland, Margaret  
Maves, Bart  
McLeod, Lyn  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John

Phillips, Gerry  
Sergio, Mario  
Smitherman, George  
Snobelen, John  
Spina, Joseph  
Stewart, R. Gary  
Stockwell, Chris  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob  
Young, David

#### Nays

Churley, Marilyn  
Kormos, Peter

Marchese, Rosario  
Martel, Shelley

Prue, Michael

**Clerk of the House:** The ayes are 41; the nays are 5.

**The Deputy Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## STUDENT PROTECTION ACT, 2002

### LOI DE 2002

## SUR LA PROTECTION DES ÉLÈVES

Resuming the debate adjourned on December 11, 2001, on the motion for third reading of Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students / *Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.*

**The Deputy Speaker (Mr David Christopherson):** I just want to remind members again that by order of the House dated May 29 of this year, there should be 60 minutes allotted to complete the third reading stage of Bill 101. The time shall be split equally among all recognized parties and at the end of the 60 minutes, I shall be required to put the question.

Mr Bartolucci is not here, so we are going to the third party. Therefore, the third party now has the floor.

**Mr Rosario Marchese (Trinity-Spadina):** I want to speak to this bill. I've only got 20 minutes, plenty of time to be able to—

*Interjections.*

**Mr Marchese:** Never enough time, but plenty of time to put our points on the record.

*Interjections.*

**Mr Marchese:** Dominic Agostino, you do that. Marie Bountrogianni, you look me up on television, all right? OK, now hurry along and go away.

**The Deputy Speaker:** Order. Would members who are going to leave the chamber, please do so now, but do it quickly and quietly; otherwise, please take your seats and allow the member to have the floor.

The member may continue. Sorry for the interruption.

**Mr Marchese:** A couple of things.

*Interjections.*

**Mr Marchese:** No. If I shared it with you, then I would be giving it away.

*Interjections.*

**Ms Shelley Martel (Nickel Belt):** That would be too much male bonding.

**Mr Marchese:** Can't do that.

A couple of things on the issue of the incompetence of this government—

*Interjections.*

**Mr Marchese:** —because we could never beat them and whack them enough on the issue of incompetence. The Tories have had plenty of time to fix this Student

**The Deputy Speaker:** Those opposed will now rise one at a time and be recognized by the Clerk.

Protection Act—plenty of time, months and months of time—

**Mr Steve Gilchrist (Scarborough East):** You want to block it. You want to hold it up even further now. Move the question.

**Mr Marchese:** I'm not holding it up.

**The Deputy Speaker:** Order.

**Mr Marchese:** My duty is to speak to the electorate, to the citizens and taxpayers out there, and give them my best advice on what you are doing so incompetently. That's my job. Your job is to be your usual incompetent selves and bring forward bills like this that you cannot fix.

In spite of all the time you've had to fix this bill, you bring it back with the same egregious oversights and wilful negligence with respect to dealing with the inadequacies of this bill—

*Interjection.*

**Mr Marchese:** I can't hear you, Steve. If I can't hear, I can't even pause to respect you in some way. But I'm going to do my best, as you speak, to try to grasp it and fit it into my remarks.

*Interjection.*

**The Deputy Speaker:** Order, please.

**Mr Marchese:** On the issue of who this bill covers—remember, this bill is designed to go after sexual predators in our schools, right? We support that.

*Interjections.*

**The Deputy Speaker:** Stop the clock. I'm sorry, take your seat, please.

The member from Scarborough East is really trying my patience. It's ongoing. I know the member can sometimes be provocative, and I allow a little more because of that. You could argue that he asked for it, but I would appreciate it if you'd go back to what you were doing earlier and allow the member to make his points.

Start the clock. Please continue.

**Mr Marchese:** I don't deliberately provoke, but it does happen that what I say does provoke them. This is true, but I don't do it deliberately.

The Student Protection Act is designed to go after sexual predators in our high schools and elementary schools. It's got better definitions than we've ever had in terms of comprehensive definitions of sexual abuse and sexual molestation. We support that. We have a reporting mechanism built into this bill where people are obliged to report. It imposes a duty on school boards to remove from the classroom a teacher who has been charged with or convicted of a sexual offence involving minors. It's good stuff. With respect to reporting requirements, to which I was alluding, all employers of certified teachers working with students 18 years of age and/or younger would be required to report sexual abuse. We talked about all those things yesterday; no problem with that. Who wouldn't support that?

But what we said yesterday—and this is why I speak about the incompetence of this government, which has known for the last year, and before the drafting of this bill, that it has a problem and did nothing to correct it. I'll

point out the problem to the wise men and women watching this program, because I know you want to learn from this political program. This government says that all certified teachers in the public school system, the Catholic school system and the private school system will be subject to this law, and should there be any sexual abuse, they would all be punished.

**The Deputy Speaker:** Sorry, member, I'm going to have to ask you to take your seat. Stop the clock. I need to consult with the table. There's an issue.

You're up to speed, House leader for the third party, on the issue?

It's been brought to my attention that given the length of time since we last dealt with this bill, in checking the records on November 26 and November 27, the honourable member from Trinity-Spadina indeed has already spoken on third reading. I think we can all appreciate that, given the number of months that have gone by—it wasn't until the record was checked—so we certainly don't think there's anything untoward. However, the member cannot continue to speak any further on third reading, because he has already exercised his right.

Therefore, my question: I have the government House leader here and the deputy whip of the official opposition. It would seem to me, in fairness, that if the third party wishes to stand someone else up right now, it's their time spot. If not, then the time will still be theirs, but we will go into rotation over to, I believe, the government next, in which case the third party would come up in rotation.

I seek guidance from the House leader of the third party as to your preference.

**Mr Marchese:** Rotation.

**The Deputy Speaker:** Then we'll go into rotation. If a government member is now ready to speak, then we'll continue.

*Interjection.*

**The Deputy Speaker:** Sorry. You want to speak before he takes the floor? Take the floor please, member from Waterloo-Wellington, and I'll recognize the House leader of the third party.

**Mr Peter Kormos (Niagara Centre):** If I may, simply to apologize: it was inadvertent on the part of the member and, again, flowed from the incredible gap of time. So our apologies.

**The Deputy Speaker:** I think that apology is easily acceptable by all members, and it's understandable. It was an honourable attempt to put forward his views.

However, we have cleared this up and the clock shall start. I recognize the member from Waterloo-Wellington to speak on behalf of the government.

**Ms Marilyn Mushinski (Scarborough Centre):** On a point of order, Mr Speaker: Will this continue until six o'clock?

**The Deputy Speaker:** Yes.

With that, is the member prepared to take the floor?

**Mr Ted Arnott (Waterloo-Wellington):** I appreciate this opportunity to speak tonight. I didn't think I was going to have that opportunity, but it is my pleasure to



rise in the House today in support of third reading of Bill 101, Student Protection Act, 2002.

Ontario's students, parents and teachers have been asking for this strong piece of legislation and have been waiting for it to proceed. Finally, after exhaustive consultations and careful debate, we can move forward and give our province's education system the protection and clarity that it deserves.

The purpose of the proposed legislation is to help provide a safe environment for all students in Ontario. In that regard, I would like to describe some of the main features of this bill and then update the House on some of the government's other initiatives to promote student safety.

One of the highlights of Bill 101 is that it sets out a clear definition of sexual abuse. That definition is intentionally broad and recognizes not only physical sexual abuse but also sexual harassment and inappropriate behaviour by teachers.

Bill 101 also proposes a broad definition of sexual abuse, which would include sexual intercourse or other forms of physical sexual relations between a teacher and a student, any touching of a sexual nature of a student by a teacher, and behaviour or remarks of a sexual nature by a teacher directed toward a student. In short, we are leaving no grey areas. We are recognizing that sexual abuse can take any number of harmful forms and we are saying that none of them is acceptable.

1740

My legislative colleagues will be interested to know that the definition of sexual abuse in the bill parallels the definition that is set out in the Regulated Health Professions Act, which governs doctors and nurses and imposes similarly strong requirements for reporting sexual abuse.

In addition to the comprehensive definition of sexual abuse, Bill 101 has a number of other important highlights. I would like to call the honourable members' attention to some of these this afternoon. The proposed legislation would result in the automatic removal from the classroom of teachers in publicly funded schools who have been charged with sexual assault or any other offence when these individuals may, in the opinion of their employer, pose a risk of harm or injury to students.

Bill 101 also contains a proposed requirement for employers and the Ontario College of Teachers to share information about certain disciplinary action against certified teachers. These measures are designed to prevent a teacher from moving undetected to another school or another school board if he or she has been disciplined or charged with a sexual offence against a student. The bill also provides for fines of up to \$25,000 for employers of certified teachers upon conviction for failing to obey the reporting rules.

We view this legislation as an important step in our efforts to ensure the safety and security of Ontario's school children. Over the past few years, our government has been striving to build a provincial education system that supports student achievement and academic excellence. In order to do that, we have set high standards

while clarifying the responsibilities and strengthening the accountability of our education partners.

This government has been working hard to ensure that Ontario's schools offer an environment where teachers can teach and students can learn without fearing for their safety. As many members will know, we have taken a range of strong actions to ensure safety in our schools. Our government has enhanced protection for young people in several other important areas. Last December, for example, the Ministry of Education released a provincial model for a local police-school board protocol. The model protocol is designed to ensure that school boards and local police work together to develop policies and procedures for responding to incidents at school. The protocol also sets out how and when parents will be contacted about an incident that involves their child. In 1999, the government also strengthened the Child and Family Services Act with new measures that give front-line child protection workers better tools to do their job.

The changes made it clear that the main purpose of the Child and Family Services Act, or CFSA, is to promote the best interests, protection and well-being of children. As part of the changes, we expanded the reasons that can be used to find a child who needs protection. The word "neglect" is now specifically included in the CFSA, and the threshold for risk of harm and emotional harm to children has been lowered. These changes were designed to encourage earlier action to protect children at risk. Moreover, the CFSA now makes it crystal clear that professionals and the public have a duty to report when a child is or may be in need of protection.

As part of this broad government initiative, school boards were directed to give their staff opportunities to acquire the skills and knowledge they need to recognize the signs of physical, sexual or mental abuse and to offer them guidance as to how to take appropriate action. Last fall, the Ministry of Education also released a revised policy program memorandum to school boards to help increase awareness of the new child abuse reporting requirements in the Child and Family Services Act.

Our government's efforts to promote the safety of our young people include making students more aware of what constitutes inappropriate behaviour. In this regard, Ontario's new elementary school curriculum contains a personal safety and injury component that introduces topics such as sexual harassment, child abuse and violent relationships. The curriculum is designed to ensure that these topics are introduced to children in a manner that is appropriate to their age and cognitive development.

Each of these initiatives I've outlined today addresses one or more of the valuable recommendations we received from Justice Sydney Robins in his report, *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*. Honourable members may also recall that the Ministry of Education last January implemented another key recommendation of the Robins report, and that was the introduction of mandatory criminal background checks for teachers and school employees. Criminal background checks for all

school board employees will begin this year as part of Ontario's ongoing effort to protect students.

One final initiative I would like to mention here today involves the Ministry of the Attorney General's efforts to expand its specially designed child-friendly courts program. The program is designed to make the courtroom less intimidating to young victims and witnesses in the hope that fewer of them will be afraid to come forward.

Since the Robins report was released in early 2000, I would point out that the previous minister was very active in consulting education partners about ways to improve safety for school children. I understand that in the spring of 2000, while she served as Minister of Education, our current Minister of Finance met with the Council of Directors of Education, trustees' associations and principals' associations and the Ontario College of Teachers. I also understand that the government received very useful feedback on the Robins report from the Elementary Teachers' Federation of Ontario, as well as the Ontario Teachers' Federation.

I would like to take this opportunity to once again thank all the educational partners who devoted their time and resources to giving us their thoughtful advice on this important subject. The Ontario College of Teachers, in particular, is to be commended for its advice in this regard and for its prompt action in response to Justice Robins's recommendations. The college was asked to conduct a review of its policies and procedures in light of Justice Robins's report and to provide advice to the ministry on how to implement the report's recommendations.

Our commitment to the safety of our students and young people is and must continue to be absolute. Bill 101 is an important step in our efforts to keep sexual predators out of our schools. But let me make one thing very clear: all of us in this House today know that Ontario's teachers are caring, law-abiding people, dedicated professionals who are committed to enriching the lives of their students and to protecting them from harm. These teachers deserve the trust and respect of their students, parents and peers. Nevertheless, the disturbing reality, as Mr Justice Robins's report has so ably confirmed, is that sexual abuse does occur in our schools. In the past, there unfortunately have been instances where a teacher has abused his or her position of trust and victimized the young people in their care. Our responsibility as legislators is therefore clear, and that is to take every possible step toward safeguarding the safety of students throughout the province. That is surely an honourable goal, the kind of goal we all aspire to in this House, and achieving that goal is what Bill 101 is all about.

In conclusion, I would therefore like to invite all members of this House to join me in giving their support to Bill 101. I have some additional comments I would like to provide to the House in terms of this bill. I am very pleased that present in the House today is the former Minister of Education, the Honourable Janet Ecker, now the Minister of Finance, who was the minister at the time this bill was first introduced. She has been present for

much of the debate as this bill was discussed in the time allocation motion that took place yesterday afternoon, as well as this afternoon while we are trying to conclude this debate.

As members know, we have about an hour left in terms of the time that's set aside for this debate at third reading and I am very hopeful that the bill will pass so that we can bring it into law as soon as possible. I know that in my constituency, quite a number of my constituents are interested in this issue. They've read some of the newspaper articles that have appeared in recent years. We know that it is most important that this bill pass into law.

**1750**

I know the member opposite, the member for Trinity-Spadina, who is the critic for the third party, had previously spoken to this bill some time ago. I'm not sure exactly when the bill was debated—when we initiated third reading debate, before Christmas, I gather—so I think it is appropriate that we get to the point where we can vote on this bill at third reading and we can pass it into law. I think it's something that all of us as members of the Legislature would agree with.

Since I have a few more minutes, I'm going to continue speaking about this bill. I appreciate my colleagues who have given me so much information now that I'm not sure where to begin. It is appropriate to remind members again about the aspects of this bill that we all want to put forward this afternoon in terms of our support.

As we know, part I of the bill is an amendment to the Education Act.

"Section 1 of the bill would repeal and replace paragraph 12.1 of subsection 170(1) of the Education Act, to require a board that has become aware that a teacher employed by it has been charged with or convicted of certain Criminal Code (Canada) offences to ensure that the teacher performs no duties involving contact with pupils."

Again, I would expect from the context of the debate we've had so far that almost all members would support that section of the bill. I'm certain, in fact, that that's the case.

Part II of the bill is "Amendments to the Ontario College of Teachers Act, 1996."

"Section 2 of the bill would add a definition of 'sexual abuse' to the Ontario College of Teachers Act, 1996."

"Section 3 of the bill would provide that 'professional misconduct' as defined under the act includes sexual abuse of a student by a member of the Ontario College of Teachers."

"Section 4 of the bill would add part IX.1 to the act, which would include the following provisions:

"Section 43.1 would provide for the application of part IX.1."

"Subsection 43.2(1) would require an employer of a member of the Ontario College of Teachers to report to the college where the employer terminates the member's employment or restricts the member's duties for reasons of professional misconduct." As well, an employer of a



member must "report to the college if the employer intended to terminate the member's employment or restrict the member's duties for reasons of professional misconduct but did not do so because the member resigned."

"Where an employer report is made under section 43.2, the registrar of the college must report back to the employer respecting any action taken by the registrar in response to the employer's report."

I'm very pleased the member for Scarborough-Agincourt is here this afternoon, taking such close note of my comments.

**Ms Mushinski:** He was a former school trustee.

**Mr Arnott:** He was a former school trustee, and he was a fine one; I know that for a fact.

**Ms Mushinski:** He was a very good one. He was elected in 1985—and he was president of a hospital board in Scarborough.

**Mr Arnott:** He was elected in 1985, when the Liberals were elected to form the government. He is a long-serving member of this House and someone I have a great deal of respect for and a high regard for. I'm very pleased that he's listening intently to the comments, such that he could become even more informed about the bill, although I know he's had an opportunity to read it and it's just a refresher, I guess, that I'm providing.

"Section 43.3 would require employers to report to the college when the employer becomes aware that a member employee has been charged with or convicted of certain offences under the Criminal Code (Canada), or has engaged in conduct that, in the opinion of the employer, should be reviewed by a committee of the college.

"Section 43.4 would require the college to keep employers of members informed of certain decisions and orders made under the act."

So again, all of those provisions within the bill ensure that there is more accountability and make sure that there is going to be reporting and there isn't going to be a situation where someone can perhaps fall through the cracks or evade responsibility for the actions that they may have taken.

"Section 5 of the bill would repeal subsections 47(2), (3) and (4) of the act.

"Section 6 of the bill would provide that it is an offence for an employer to contravene the proposed sections 43.2 and 43.3 of the act."

Part III of the bill is also a very important section. It provides for an amendment to the Teaching Profession Act.

"Section 7 of the bill would amend section 12 of the Teaching Profession Act to provide that a member of the Ontario Teachers' Federation who makes an adverse report about another member of the federation respecting suspected sexual abuse of a student by that member need not advise the other member of the report."

Part IV of the bill, "Commencement and Short Title," provides for the title of the bill.

I know there are a number of members in the House, especially opposition members, who were concerned about other aspects of this bill, in terms of the debate I heard yesterday, and I know that many members of the House were wondering how this bill would affect children and what would be the effect of the act on certified teachers.

The act includes a comprehensive definition of sexual abuse, designed to protect students from sexual harassment as well as sexual assault. It would require school boards and other employers, such as independent schools and tutoring agencies, to report to the Ontario College of Teachers if a certified teacher has been charged with or convicted of an offence involving sexual conduct and minors or any other criminal offence that the employer feels may put students at risk.

Mr Speaker, given that it is very close to 6 of the clock, I move adjournment of the House.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1757 to 1827.*

**The Deputy Speaker:** Mr Arnott has moved adjournment of the House.

Those in favour will rise until all are recognized by the Clerk.

All those opposed will please rise and remain standing until counted by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 1; the nays are 25.

**The Deputy Speaker:** I declare the motion lost.

It being well past 6 of the clock, this House now stands adjourned until Monday, June 3, at 1:30 in the afternoon.

*The House adjourned at 1828.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergente d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
Brant	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac-Lennox and Addington	
		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Martiniuk, Gerry (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Hoy, Pat (L)		Gerretsen, John (L)
Davenport	Ruprecht, Tony (L)	Kingston and the Islands / Kingston et les îles	
Don Valley East / -Est	Caplan, David (L)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel-Wellington-Grey	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Durham	O'Toole, John R. (PC)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Eglinton-Lawrence	Colle, Mike (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Elgin-Middlesex-London	Peters, Steve (L)		
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London West / -Ouest	Wood, Bob (PC)
		London-Fanshawe	Mazzilli, Frank (PC)
Etobicoke North / -Nord	Hastings, John (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Clearly, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Marilyn Churley, Mike Colle,  
Garfield Dunlop, Steve Gilchrist,  
Dave Levac, Al McDonald, Norm Miller  
Clerk / Greffière: Anne Stokes

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Caroline Di Cocco, Jean-Marc Lalonde,  
Margaret Marland, Julia Munro, Marilyn Mushinski,  
Michael Prue, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum



*Continued from overleaf*

## OTHER BUSINESS

<b>Attack on the United States</b>	
Mr Sampson.....	491
<b>Member's privilege</b>	
The Speaker .....	508
<b>Consideration of Bill 58</b>	
The Speaker .....	509
<b>Visitors</b>	
Mr Levac .....	509
<b>Jack Wilkinson</b>	
Mr Peters .....	509
<b>Wearing of hockey jersey</b>	
Mr Gerretsen.....	527
<b>Business of the House</b>	
Mr Stockwell .....	523

## TABLE DES MATIÈRES

**Jeudi 30 mai 2002**

### AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

<b>Loi Tommy Douglas de 2002 sur la Déclaration des droits des patients,</b> projet de loi 27, <i>M<sup>me</sup> Martel</i>	
Adoptée.....	506
<b>Loi de 2002 sur le monument commémoratif en hommage aux pompiers,</b> projet de loi 113, <i>M. Wood</i>	
Adoptée.....	506

## PREMIÈRE LECTURE

<b>Loi de 2002 offrant de nouvelles possibilités d'éducation postsecondaire aux étudiants,</b> projet de loi 65, <i>M<sup>me</sup> Cunningham</i>	
Adoptée.....	510
<b>Loi de 2002 modifiant la Loi sur la protection et la promotion de la santé (préposés à la manutention des aliments),</b> projet de loi 66, <i>M<sup>me</sup> Papatello</i>	
Adoptée.....	510
<b>Loi de 2002 modifiant la Loi sur les agences de recouvrement,</b> projet de loi 71, <i>M. Sergio</i>	
Adoptée.....	510
<b>Loi de 2002 modifiant la Loi sur les enquêteurs privés et les gardiens,</b> projet de loi 79, <i>M. Sergio</i>	
Adoptée.....	510
<i>M. Sergio</i> .....	510

## QUESTIONS ORALES

<b>Soins de longue durée</b>	
<i>M<sup>me</sup> Boyer</i> .....	522
<i>M. Clement</i> .....	522

## TROISIÈME LECTURE

<b>Loi de 2002 interdisant les gains tirés du récit d'actes criminels,</b> projet de loi 69, <i>M. Young</i>	
Adoptée.....	535
<b>Loi de 2002 sur la protection des élèves,</b> projet de loi 101, <i>M<sup>me</sup> Witmer</i>	
Débat présumé ajourné.....	539

# CONTENTS

Thursday 30 May 2002

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Tommy Douglas Act (Patients' Bill of Rights), 2002, Bill 27, <i>Ms Martel</i></b>	
Ms Martel.....	491, 498
Mr O'Toole.....	492
Mrs Pupatello.....	493
Mr Prue.....	494
Mr DeFaria.....	496
Mr Phillips.....	497
Mr Gerretsen.....	497
Mr Gilchrist.....	498
Agreed to.....	506
<b>Firefighters' Memorial Act, 2002, Bill 113, <i>Mr Wood</i></b>	
Mr Wood.....	499, 505
Mr Levac.....	499
Mr Kormos.....	500
Mrs Marland.....	501
Mr Bradley.....	502
Mr Prue.....	502
Mr Wettlaufer.....	503
Mrs Pupatello.....	503
Mr O'Toole.....	504
Mr Agostino.....	504
Agreed to.....	506

## MEMBERS' STATEMENTS

<b>Conservation authorities</b>	
Mr Bradley.....	506
<b>Intel International Science and Engineering Fair</b>	
Mr Hastings.....	506
<b>Italian National Day</b>	
Ms Di Cocco.....	507
<b>Dave Broadfoot</b>	
Mrs Munro.....	507
<b>Emergency services</b>	
Mrs Dombrowsky.....	507
<b>Injured workers</b>	
Mr Kormos.....	508
<b>Trafalgar moraine</b>	
Mr Colle.....	508
<b>Health care</b>	
Ms Mushinski.....	508
<b>World Cup soccer</b>	
Mr Gill.....	509

## FIRST READINGS

<b>Post-secondary Education Student Opportunity Act, 2002, Bill 65, <i>Mrs Cunningham</i></b>	
Agreed to.....	510

## Health Protection and Promotion

<b>Amendment Act (Food Handlers), 2002, Bill 66, <i>Mrs Pupatello</i></b>	
Agreed to.....	510
Mrs Pupatello.....	510
<b>Collection Agencies Amendment Act, 2002, Bill 71, <i>Mr Sergio</i></b>	
Agreed to.....	510
Mr Sergio.....	510
<b>Private Investigators and Security Guards Amendment Act, 2002, Bill 79, <i>Mr Sergio</i></b>	
Agreed to.....	510
Mr Sergio.....	510

## MOTIONS

<b>Committee membership</b>	
Mr Stockwell.....	511
Agreed to.....	511
<b>Private members' public business</b>	
Mr Stockwell.....	511
Agreed to.....	511

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Post-secondary education</b>	
Mrs Cunningham.....	511
Mrs Bountrogianni.....	512
Mr Marchese.....	513

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr Conway.....	514
Mr Eves.....	514
Mr Bryant.....	515, 518
Mr Stockwell.....	515, 518, 520
Mr Hampton.....	520
<b>Competitive electricity market</b>	
Mr Hampton.....	516
Mr Eves.....	516
<b>Education funding</b>	
Mr Hampton.....	517
Mrs Witmer.....	517, 519
Mr Marchese.....	517
Mr Stewart.....	519
<b>Ontario budget</b>	
Mr McDonald.....	518
Mrs Ecker.....	518
<b>Special education</b>	
Mr Kennedy.....	519
Mrs Witmer.....	519

## Ministry of Health contract

Mrs Pupatello.....	521
Mr Clement.....	521

## Tourism

Mr Galt.....	521
Mr Jackson.....	521

## Long-term care

Mrs Boyer.....	522
Mr Clement.....	522

## Workplace Safety and Insurance Board

Mr Agostino.....	522
Mr Clark.....	522

## PETITIONS

### Hydro One

Mrs McLeod.....	523
Mr Curling.....	524, 526
Mr Sergio.....	524
Mr Gerretsen.....	525

### Young offender facility

Mr Kormos.....	524
----------------	-----

### Affordable housing

Mr Caplan.....	524
----------------	-----

### Community care access centres

Mrs McLeod.....	525
-----------------	-----

### Education funding

Mr Caplan.....	525
Mrs McLeod.....	526

### Podiatric services

Mr Sergio.....	526
----------------	-----

### Use of emerging technologies in schools

Mr Caplan.....	526
----------------	-----

## THIRD READINGS

### Prohibiting Profiting from Recounting

<b>Crimes Act, 2002, Bill 69, <i>Mr Young</i></b>	
Mr Young.....	527
Mr Bryant.....	530
Mr Kormos.....	532
Agreed to.....	535

### Student Protection Act, 2002, Bill 101, *Mrs Witmer*

Mr Marchese.....	535
Mr Arnott.....	536
Debate deemed adjourned.....	539

Continued overleaf



CANON

XI

083

Government  
Publications



No. 13A

N° 13A

ISSN 1180-2987

## Legislative Assembly of Ontario

Third Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 3 June 2002

Lundi 3 juin 2002

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

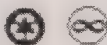
Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
3330 Whitney Block, 99 Wellesley St W  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
3330 Édifice Whitney ; 99, rue Wellesley ouest  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 juin 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** Today I challenge the new Minister of Northern Development and Mines and the new Minister of Transportation to commit immediately to the four-laning of Highway 69 from Sudbury to Parry Sound.

For too long this government has paid lip service to the wishes and needs of my constituents. This government says they're now different. They can prove it: commit in a tangible way to putting money toward the four-laning of Highway 69 from Sudbury to Parry Sound.

For too long there have been too many accidents, too many personal injuries, too many deaths and too much carnage along Highway 69 from Sudbury to Parry Sound. The time for action is now.

In 1996, I launched a postcard campaign "Highway 69 Worth the Investment." Some 13,000 Sudburians responded to that postcard, saying that this government should act. Today I launch a petition campaign to reinforce the message that my constituents have not changed their minds. It is time for this government to four-lane Highway 69 from Sudbury to Parry Sound.

My constituents and northern Ontarians want to see the plan and the timeline. They are demanding that this government prove that it is different. They want the four-laning of Highway 69 from Sudbury to Parry Sound to take place immediately.

#### AGRICULTURE ROUND TABLE

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize the efforts of Premier Ernie Eves and the agriculture minister, the Honourable Helen Johns, for this year's Premier's round table on agriculture, which will be held on June 6, 2002.

As a former parliamentary assistant at the Ministry of Agriculture, Food and Rural Affairs and chair of the Premier's Task Force on Rural Economic Renewal, I know that there are several areas where consultation with stakeholders will have positive results. Moreover, this will be an opportunity for the farming community to have

a direct line to the highest level of government in Ontario.

The Premier's round table will focus on important rural issues such as the success of OSTAR and OSTAR-RED, which provide \$600 million over five years for infrastructure in rural Ontario. As well, these upcoming discussions will be an opportunity to review the ideas outlined in the report of the Premier's Task Force on Rural Economic Renewal, which was released last year.

Only a few short months ago, Premier Eves committed to holding a Premier's round table on agriculture. I congratulate him on moving forward so quickly on this issue. I look forward to the new initiatives which will be generated at this conference.

Our government recognizes that farmers are an important part of Ontario, and no one more so than our new Premier, Ernie Eves. He is sending a great signal to the people of rural Ontario. Thanks again to Premier Eves, Minister Johns and all those who are working so hard to make this event a reality.

#### LAURIER BRANTFORD

**Mr Dave Levac (Brant):** Laurier Brantford in my riding, a campus of Sir Wilfred Laurier University in Waterloo, opened its doors to students and to a university education in September 1999. The first degrees were granted last week on Wednesday, May 29, 2002.

Many members of the Brant community played an important role in bringing the university to Brantford. Some of the key players, along with Laurier, included the Grand Valley Education Society, the mayor of the city of Brantford, Chris Friel, and city council, and the mayor of Brant, Ron Eddy, and county council.

Since its inception, Laurier Brantford has been characterized by academic innovation. It stands as a testament to the conviction shared by the university, the city of Brantford and the county of Brant, that advanced education plays a vital role in establishing and sustaining a flourishing community.

Further, I would like to congratulate Dr James Hillier, who was granted an honorary degree last week by Laurier. Dr Hillier's long and distinguished career began in Brantford. A scientist, engineer, inventor with over 40 patents and a research director, his contributions have made a significant impact on all of our lives and our understanding of the world around us. Among his many accomplishments, Dr Hillier played a significant and pivotal role in the development of the electron microscope. Dr Hillier continues to contribute to scientific

endeavours by supporting a scholarship for students from the riding of Brant continuing their studies in science.

Congratulations to everyone involved. Our dream has become a reality.

### EDUCATION

**Mr Michael Prue (Beaches-East York):** I rise today to commend the parents, the teachers, the students, all of those who assembled yesterday afternoon on Queen's Park lawn in a program of "Need to Succeed" for our students.

There was a group there, People for Education, which last week did a whole analysis of what is happening in the Toronto area in education. What they have said is chilling and startling. What they have said is that 21% of the school librarians are now gone from the schools in Toronto. They told us that 22% of the physical education teachers are now gone from the schools in Toronto. They have told us that the music teachers are down 25% in the city of Toronto. They have told us that 31% of the ESL teachers are gone from the city of Toronto, and they have told us the only thing that has gone up is the waiting list for special-needs students, up by 11% in just one year.

In my own riding of Beaches-East York, Earl Haig Public School has talked about what will happen if they are forced to have a compliance budget. They will lose half of a library teacher, half of a secretary, four lunch-room supervisors, two music teachers. They will have no attendance counsellor, and they will have no school community adviser.

The people yesterday said that we need to succeed for our students. We all need to do that. We need the government to move. We need them to change direction.

### JAMES MORDEN SCHOOL

**Mr Bart Maves (Niagara Falls):** This year in celebration of James Morden School's 50th anniversary, an open house was held at the school on Dorchester Road in Niagara Falls on Saturday, June 1. I had the great pleasure of dropping in for a visit with many former students and staff, who exchanged memories of their experiences at James Morden School. James Morden School officially opened in 1952. Since then there have been students who have become teachers at the school and others who have their children currently enrolled there.

During my visit, I toured the school with teacher Kerry Felstead who, among other things, took me to see his Detroit Red Wings shrine. I also toured the school with Mr McLean, a young new principal at James Morden.

I should also note that over the years, many principals and vice-principals in other Niagara schools first started their careers at James Morden. Some staff at the school have been there for 15 to 25 years. The school has a real family atmosphere, and I was really impressed by the number of people who came by for a visit with their

former teachers and to look at old class photos that were on display.

I'd like to thank James Morden for their 50 years of service to Niagara kids. Best of luck in the years ahead as you continue to serve the citizens of Niagara Falls.

### SCHOOL CLOSURES

**Ms Caroline Di Cocco (Sarnia-Lambton):** Sarnia-Lambton has had an unprecedented number of school closures. Four elementary schools have closed in the city of Sarnia since 1997, ever since the Conservative government introduced the controversial funding formula. Closed were Clarke, Parkview, Our Lady of Mercy and St Josephs, and others have closed in the rural part of the county as well.

The St Clair Catholic District School Board has recently put St Helen school on the chopping block. St Helen school does not even meet any of the criteria for closure: its junior kindergarten class is at capacity, the school is in good condition and its enrolment is not in decline. St Helen is 90% full, with an enrolment of 305 students, and it's located in a growth area. Most of these students walk to school.

It is well documented that students actually do better in small schools, yet 88% of schools closed in Ontario have been small schools.

The Minister of Education has admitted that there is a problem with the funding formula, so stop all the school closures and fix the real problem, which is this government's education policy, a major factor in all these schools being shut down.

1340

### TERRY RYAN

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to a fallen police officer, Terry Ryan, chair of the Police Association of Ontario.

Terry passed away last Friday as the result of a tragic motor vehicle accident. Our thoughts and prayers are with Terry's family and the 13,000 police officers who are very much part of Terry's extended family. He served them with distinction and commitment.

Police personnel across Ontario and Canada have lost both a friend and a leader. Durham Regional Police Chief Kevin McAlpine was visibly moved when he commented on Officer Ryan's death.

In my role as MPP for Durham, I, as well as the other members from Durham, met Terry on many occasions. I remember him as a capable and respected spokesman for the police officers, both as president of the Durham Regional Police Association as well as chair and director of the Police Association of Ontario.

Terry Ryan was also a career police officer of almost 30 years. He spent 20 years on the board of directors of the Durham Regional Police Association. Terry Ryan championed safer communities for the men and women of Ontario's police departments and the communities they serve.



I respected his advocacy on behalf of the association. He was always firm but fair.

I would like to express my condolences and the condolences of this House to fallen police officer Terry Ryan's wife, Carol, his sons, Kevin and Jamie, as well as his family and many friends and colleagues. He will be missed.

### HIGHWAY 77

**Mr Bruce Crozier (Essex):** About 25% of the provincial highways in my riding are in disrepair. That in itself would be a startling figure, I am sure, except that the government of the day has downloaded so many provincial highways in our area that there are hardly any left.

But I speak specifically of Highway 77. I am told there are currently two capital construction projects for Highway 77. They are currently on the five-year plan. If you know what the five-year plan is, it means that something can be on the five-year plan forever, just in five-year instalments.

Highway 77 is in considerable disrepair. I would like the minister to know just how bad it has gotten, so what I have suggested is this: since the condition of the highway is so unacceptable and since the construction projects are in fact on the books, I would like to invite the Minister of Transportation to join me for a leisurely drive on Highway 77. But he'd better bring a soft pillow, because it's a rough one. To entice him even more, I have offered that I would buy the minister lunch when he comes down to see us.

### FILMING IN MILLBROOK

**Mr R. Gary Stewart (Peterborough):** Hollywood is alive in Peterborough county. The village of Millbrook, part of the amalgamated township of Cavan, Millbrook and North Monaghan, is being transformed into River City. With the arrival of work crews constructing the set of Disney-Touchstone Television's *The Music Man*, the main street is being changed into River City, Iowa, circa 1912.

The movie crews arrived this past week, and filming of the remake of the 1962 movie is set to begin in the village on June 12. It will air on ABC next year.

The changes to the small Ontario town have been interesting to the residents and local business people. For example, the historical society's offices on the main street are being turned into an old-fashioned ice cream parlour. The interior has been painted a bright minty-green colour. A barn-style feed mill is being constructed in front of the Masonic Lodge.

The filming of the movie in an Ontario village is a boost not only to the community but also to the surrounding area. Ads ran in local newspapers a few weeks ago seeking cast members. People are employed in the construction of the sets. The workers from outside our area are purchasing gasoline, food and accommodations.

The filming of a movie in Millbrook creates excitement and a positive mood for everyone living there. Congratulations to Millbrook on being chosen the Hollywood of Peterborough county.

### BOARD OF INTERNAL ECONOMY

**The Speaker (Hon Gary Carr):** I'd like to inform the House that I have today laid upon the table a copy of an order in council appointing Mr Rick Bartolucci, MPP, as a commissioner to the Board of Internal Economy, appointed by the caucus of the official opposition in place of Dominic Agostino, MPP.

### MOTIONS

#### HOUSE SITTINGS

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, June 3, Tuesday, June 4, and Wednesday, June 5, 2002, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1347 to 1352.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Galt, Doug	Munro, Julia
Arnott, Ted	Gerretsen, John	Mushinski, Marilyn
Baird, John R.	Gilchrist, Steve	Newman, Dan
Barrett, Toby	Gill, Raminder	O'Toole, John
Bartolucci, Rick	Gravelle, Michael	Ouellette, Jerry J.
Beaubien, Marcel	Hardeman, Ernie	Parsons, Ernie
Bountrogianni, Marie	Hastings, John	Patten, Richard
Boyer, Claudette	Hodgson, Chris	Peters, Steve
Bradley, James J.	Hoy, Pat	Phillips, Gerry
Brown, Michael A.	Hudak, Tim	Pupatello, Sandra
Bryant, Michael	Jackson, Cameron	Ramsay, David
Clark, Brad	Johns, Helen	Runciman, Robert W.
Clement, Tony	Johnson, Bert	Sampson, Rob
Coburn, Brian	Kells, Morley	Sergio, Mario
Colle, Mike	Klees, Frank	Spina, Joseph
Crozier, Bruce	Lalonde, Jean-Marc	Sterling, Norman W.
Cunningham, Dianne	Levac, David	Stewart, R. Gary
Curling, Alvin	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tsubouchi, David H.
Di Cocco, Caroline	Maves, Bart	Turnbull, David
Dombrowsky, Leona	Mazzilli, Frank	Wettlaufer, Wayne
Duncan, Dwight	McDonald, Al	Wilson, Jim
Dunlop, Garfield	McMeekin, Ted	Witmer, Elizabeth
Ecker, Janet	Miller, Norm	Wood, Bob
Elliott, Brenda	Molinari, Tina R.	Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Bisson, Gilles  
Churley, Marilyn

Kormos, Peter  
Marchese, Rosario

Martel, Shelley  
Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 75; the nays are 6.

**The Speaker:** I declare the motion carried.

**Hon Mr Baird:** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Thursday, June 6, 2002, for the purpose of considering government business.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1356 to 1401.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Colle, Mike  
Conway, Sean G.  
Crozier, Bruce  
Cunningham, Dianne  
Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda

Galt, Doug  
Gerretsen, John  
Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McDonald, Al  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia

Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Sampson, Rob  
Sergio, Mario  
Sorbara, Greg  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Bisson, Gilles  
Churley, Marilyn

Kormos, Peter  
Marchese, Rosario

Martel, Shelley  
Prue, Michael

**Clerk of the House:** The ayes are 77; the nays are 6.

**The Speaker:** I declare the motion carried.

**VISITORS**

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: I rise to introduce visitors in the visitors' gallery. Mike Reader is executive director of the Ontario

Federation of Anglers and Hunters, and with him is Greg Farrant, also of the federation.

**Mr Gerry Martiniuk (Cambridge):** On a point of order, Mr Speaker: May I introduce in the gallery the parents, Stephanie and Ludy Carter, grandmother and uncle, Vera and Viktor Djatschenko, and best friend Elizabeth Robinson of our own page, Emily Carter.

**STATEMENTS BY THE MINISTRY  
AND RESPONSES****SENIOR CITIZENS**

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** It is a great honour to rise today to acknowledge Ontario's senior citizens. June is Seniors' Month in Ontario. It is an opportunity to reflect on the important role older Ontarians play in the ongoing growth and vitality of this province and to support the concept of learning for life.

Ontario is currently home to more than 1.5 million seniors. Our seniors' population will continue to grow steadily as the baby boomer population ages. By 2041, a quarter of Ontario's population will be over the age of 65. The needs of our growing seniors' population are a priority to us.

This government is planning for our aging population. We are doing this in conjunction with other provincial, territorial and federal ministers responsible for seniors. We are guided by the five principles agreed upon as part of the federal-provincial-territorial national framework on aging: dignity, independence, participation, fairness and security.

As Ontario's Minister of Citizenship and minister responsible for seniors, I am proud of the far-sighted approach we are taking to planning for the needs of older adults. This approach includes a multi-ministry focus and includes the co-operation of a variety of stakeholders, including major seniors' organizations.

The government has invested in a wide range of strategies and programs. We are increasing our annual long-term-care spending by \$1.2 billion by 2006. This money adds 20,000 new long-term-care beds and rebuilds 16,000 existing beds. All 36,000 beds will be built to new state-of-the-art design standards.

Our \$1.2-billion health investment also increases annual spending on long-term-care community services by \$550 million for services. These services include visiting nurses, therapists and personal support workers, Meals on Wheels, day programs, volunteer transportation and friendly visiting.

Ontario currently spends \$1.5 billion annually on home care and community care services, more per capita than any other province. Spending on home care has increased by approximately 70% since 1995.

Our strategies include our five-year, \$68.4-million strategy for Alzheimer disease and related dementias and



also our recently announced \$4.3-million strategy to combat elder abuse.

Today, my colleague the Attorney General, David Young, and I joined Mel Lastman in launching the elder abuse awareness strategy for the city of Toronto just a couple of hours ago.

Both are examples of this province's world leadership in addressing issues affecting the health and well-being of older Ontarians. These strategies affect 140,000 Ontarians who suffer from Alzheimer disease or related dementias and the estimated 4% to 10% of Ontarians who suffer from elder abuse.

Through our Alzheimer strategy, we produced and recently released *A Guide to Advance Care Planning*. The guide is designed to educate people about the benefits of advance care planning. Through advance care planning, seniors can communicate to loved ones their wishes about their future care.

Starting this fall, a series of Ontario seniors' seminars will provide seniors across the province with valuable information on healthy aging and healthy lifestyles. They will include seminars on advance care planning, seniors' safe medication use, avoiding financial frauds and scams, safe driving for seniors and healthy eating for healthy aging.

Like all of the work of the Ontario Seniors' Secretariat, the education series is developed and delivered in partnership with Ontario's major seniors' groups and provincial organizations serving seniors.

I hope all members of this House will play a role hosting seminars with local seniors' groups, and I'm looking forward to assisting any member of this House who would like to do so.

1410

Later this year, as part of our public education activities for seniors, we'll be launching a guide to programs and services for seniors in Ontario. This guide will provide valuable information in one place about the programs and services to which seniors are entitled.

Much of the prosperity that we enjoy today in Ontario is due to a lifetime of hard work and sacrifice by our seniors. This government values the contributions that seniors make to this province and is committed to an Ontario where all seniors can live safe from harm with dignity and independence in their own communities and where their contributions are recognized and respected.

I encourage all Ontarians to pay tribute to at least one senior in their life, to reach out to a relative, a neighbour, a friend or a colleague, a community member, and thank them for their contributions.

Mr Speaker, I am very pleased to make this statement today in this House on behalf of the seniors of Ontario.

**The Speaker (Hon Gary Carr):** Further statements by ministries? Seeing none, responses?

**Mr Michael A. Brown (Algoma-Manitoulin):** The first thing I would like to do is to officially welcome the minister responsible for seniors to his portfolio and to congratulate him on that post. It is my first opportunity to do this.

I'm delighted on behalf of Dalton McGuinty and the Liberal caucus to acknowledge the seniors and their leadership in our communities, not only today but across the decades. We appreciate their contributions tremendously.

Last week I was wandering up to the Legislative Building and I noticed the bed of tulips and I thought how fitting it was that we would set aside the month of June to recognize seniors. After all, June is the month of promise and rebirth; it is the month of hard work to ensure the gifts of the summer.

I see seniors in our communities taking their grandchildren to very many special places to bring back memories. Just last summer I visited Leeburn, where a group of seniors had refurbished a schoolhouse. It brought back the early years of this pioneer community for all to see and for all to understand. I see them labouring over their quilts and over their handiwork to donate those to worthy causes in their community. I see them preserving and teaching the lessons of our collective past and of their individual past. I see them taking up recycling with a vengeance. I see them sitting at malls selling raffle tickets for community organizations. I see them volunteering at long-term-care facilities. I see them at hospitals and animal centres. I see them volunteering in classrooms. I see them as the backbone of their places of worship. I see them at the Royal Canadian Legion functions, passing on the torch, as it were, to the next generation.

Just yesterday at the Manitoulin cenotaph—every year since 1921 people have been coming to that cenotaph to remember the sacrifice of people. The Royal Canadian Legions in Gore Bay and Little Current deserve to be congratulated for that, and what I really want to do is acknowledge our Silver Cross mother who was there, Joey Hanson, from Little Current.

I see seniors embracing life's challenges to the best of their abilities or disabilities, and I think how fortunate younger generations are that they have continued to play such vital roles, in spite of bodies that are not as strong as they once were, in spite of having lost friends, perhaps spouses, even children, in spite of living often on fixed incomes. They keep on as long as life allows, trusting that their labours will not be in vain.

These are the people who built this great province, this great country. They've defended this province and this country. That is why I'm incensed when I learn that an ailing constituent in my constituency is getting less health care than they deserve. I am angry when I hear people in nursing homes getting shortchanged in hands-on care. Just last week, we presented tens of thousands of petitions asking for adequate staffing levels in our long-term-care facilities. I'm upset when the seniors I represent in the great riding of Algoma-Manitoulin have to travel sometimes hundreds of kilometres just to see a general practitioner. That is not acceptable.

I would also like to bring to your attention on behalf of the seniors we advocate for that the government has cut back dramatically on the number and amount of

services that are provided to our seniors in communities. The cutback to chronic in-home services has been huge. There isn't a member on any side of the House who hasn't received hundreds if not thousands of phone calls in their office from seniors whose home care has been cut off. These are people who need home care, these are people who deserve home care, these are people who have earned home care, and it is up to this government to quit playing with numbers and fix this problem on their behalf.

Seniors in our province have built this province. We owe a great debt of gratitude to these seniors. We need to understand that their contributions are important to us and that they have earned all the respect this society can pay to them.

**Ms Shelley Martel (Nickel Belt):** On behalf of New Democrats, it is my pleasure to acknowledge Seniors' Month and the enormous contribution that has been made by seniors to life in Ontario, not only in terms of seniors' contributions during their paid working life but the contribution they make now as volunteers to thousands and thousands of organizations across the province.

When I think of that worthy contribution, I am astonished at the blatant disregard this government shows to Ontario seniors. I want to spend my time talking about the cuts to services and funding that this government has made to seniors.

Let's deal first with the delisting of OHIP services. This government last August delisted hearing-aid evaluations and re-evaluations so that seniors have to pay for that out of their own pocket. Male seniors in particular who worked in heavy industry would have a significant need for that type of evaluation and re-evaluation. Many of those who are now on a fixed income can't afford those kinds of costs. That's how the government shows how committed it is to seniors.

Let's look at funding for community-based long-term-care services. I'm astonished to hear the government say that they are increasing the investment in community-based long-term-care services by over \$550 million. If that's the case, why is it that community care access centres had their budgets frozen last year, are living with that same frozen budget this year, and thousands of seniors across this province can't get home care services, can't get homemaking services, can't get discharged from hospital because they can't get the home care they need in order to be discharged, are on a waiting list for services or have to go through a waiting period for services? Why doesn't the government tell the truth, which is that the government has stopped funding increases to community-based services at about \$275 million and hasn't allocated the funding it promised over an eight-year period in the last two years? That's why seniors can't get the home care they deserve.

Let's look at some of the regulation changes this government has made which have dramatically affected seniors. This government in 1999 limited the number of hours of home care services that clients can receive to two hours per day. We know there are many seniors

across Ontario who need more than two hours per day of home care services. What has happened with that reduction is that many seniors who want to stay in their home, and could with adequate nursing supports, have now been forced into long-term-care institutions.

**1420**

The second regulation change is a change that says that clients must now have personal support needs in order to even be considered for homemaking services. So if you don't have a need for personal hygiene services or daily living services—and many seniors don't—you are therefore ineligible to receive housekeeping services, laundry services or assistance with shopping. So those very same seniors who don't have a need for basic life supports now can't stay in their own homes because they can't keep up with the maintenance and care of their homes, and we force them into long-term-care facilities, which is far more expensive to the health care system in this province.

Look at copayments in medication. This was the government that brought seniors a copayment for their prescription drugs, be it a flat \$2 fee, depending on income, or now they have to pay the dispensing fee as well. This is the government that gutted rent control and cancelled our government's affordable housing program. Many of those seniors were housed in units where housing costs were affordable, and with this government we now have the scenario that many, many seniors are being forced to go to food banks because they cannot pay their rent and cannot pay for some of their other basic necessities.

This is the government that cancelled the requirement of 2.5 hours of hands-on care for seniors in our long-term-care facilities—cancelled that requirement. We are now in the unenviable position, according to a study done at the behest of this government by PricewaterhouseCoopers and released in January 2001, that seniors in Ontario are at the bottom of the heap when it comes to hours of hands-on nursing care, hours of rehabilitation care and hours of care provided to seniors who present themselves with behavioural problems in long-term-care facilities. If this government had actually gone forward with my patients' bill of rights last week—the Tommy Douglas patients' bill of rights—a health care standards commissioner would have had the authority to set standards in long-term-care facilities to ensure that seniors are receiving the decent quality of care that they deserve in facilities.

Finally, one other point: in their brief to this government, among many other things United Seniors of Ontario say the following: "Don't privatize water, don't privatize hydro, because we know that will have an increased cost on people who can't afford it."

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: I seek unanimous consent to introduce the following resolution:

That this House deplores the derogatory, untrue and unkind comments made about Maritimers by Canadian Alliance leader Stephen Harper, and seeks to reassure the



people of eastern Canada of their value and worth as an integral part of Canada. This House expresses our regret for Mr Harper's unfortunate comments and conveys our good wishes in writing to the citizens of the Maritime provinces through their respective Premiers.

Mr Speaker, I grew up on the east coast, specifically Labrador, and I'm sure if this resolution is passed—

*Interjections.*

**Ms Churley:**—many of whom live in our communities in Ontario.

**The Speaker:** The member has asked for unanimous consent. Agreed? I'm afraid I heard some noes.

## RAPPORT DE L'ENQUÊTE SUR WALKERTON

### WALKERTON INQUIRY REPORT

**M. Gilles Bisson (Timmins-Baie James):** Vous savez que le mois de janvier de cette année le gouvernement a déposé le rapport de Walkerton. J'ai demandé une question dans cette assemblée le 22 parce que, jusqu'à cette date-là, le rapport n'était pas disponible en français. Le ministre responsable de l'environnement m'a rassuré que oui, premièrement ce n'était pas acceptable que le rapport n'était pas en français, et il a donné un engagement, que le rapport serait disponible dans les plus brefs délais.

La semaine du 27 mai—justement le 27 mai—le gouvernement a déposé le deuxième rapport de Walkerton ici à l'assemblée même. Le ministre de l'Environnement est venu me voir et il m'a assuré que le deuxième rapport ainsi que le premier pourraient être disponibles « cet après-midi, le 27 » ici à l'assemblée. Je me suis levé pour un point d'ordre et j'ai demandé à travers l'assemblée, « Est-ce que vous allez garantir que ce rapport, le deuxième rapport, sera disponible en français? » Le ministre m'a dit, « Oui. » Aujourd'hui à 13 h 30 j'ai vérifié : ni le premier ni le deuxième rapport est disponible en français.

M. le Président, je vous demande simplement d'assister les membres francophones de cette assemblée et les francophones à travers la province à s'assurer que le ministre garde son engagement et que ces rapports seront disponibles en français aujourd'hui même.

**The Speaker (Hon Gary Carr):** The minister of Francophone Affairs on the same point of order.

**L'hon John R. Baird (ministre associé des Affaires francophones):** M. le Président, mon collègue le ministre de l'Environnement et de l'Énergie a dit très clairement que c'était son choix que les rapports seraient disponibles aussitôt que possible, et le but doit toujours être d'avoir le rapport à la même heure. Je suis sûr que le plus tôt possible les rapports seront disponibles en français et en anglais. C'est la réponse que le ministre a donnée à mon collègue la semaine dernière. Je suis sûr du travail qui a été mis en place pour rendre les rapports disponibles aussitôt que possible. Cette politique doit être la priorité.

**The Speaker:** The member on the same point of order?

**M. Bisson:** Très brièvement, j'ai été assuré la journée du 27, quand le rapport avait été déposé, que cette même après-midi-là le rapport serait disponible. Aujourd'hui encore, ni le premier ni le deuxième rapport n'est disponible. Je veux avoir l'assurance que le rapport Walkerton sera disponible aujourd'hui même. Tout ce que je demande, ce sont mes droits comme francophone.

**The Speaker:** On a point of order, the minister responsible.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I just want to respond to what the member said. I think what I said at the time was "as soon as possible." I appreciate the fact that can mean different things to different people. The O'Connor report, I think, is some 700 pages. We're in the process of translating it as quickly as we possibly can. If you'd like, I think we can partially put it up, as far as we've translated it, and that may accommodate you to some degree. But it's a 700-page report, which takes some time to translate. I said at the time you asked me the question, "I will undertake to get it up as soon as humanly possible." I understand that can mean different things to you and me but, honestly, it's going to take more than a couple of weeks to translate a report that voluminous.

**The Speaker:** That wasn't a point of order, but I do thank the minister for his clarification and the member for bringing that to the minister's attention.

## CONSIDERATION OF BILL 65

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I wonder if the government House leader could clarify something for me. Today's orders and notices paper indicates that we will be considering government order G135 in this afternoon's session. That's time allocation on Bill 135.

My verbal understanding is that in fact the government intends to call G65, which is the bill with respect to post-secondary institutions introduced by Minister Cunningham, An Act to enact, amend or revise various Acts related to post-secondary education and opportunities. I wonder if the government House leader could confirm the agenda for this afternoon.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Yes, that's the agenda.

**Mr Duncan:** On a point of privilege, Mr Speaker, arising out of what's happened in the House today: one of the components of Bill 65 deals with the University of Ontario Institute of Technology. That institution was promised by the government and was in fact part of another piece of legislation that was introduced in December. The government has chosen to put this piece of legislation with some others, but the point of privilege I raise with you, sir, relates to what I would define as contempt.

In order to place my case, I'd like to refer to a ruling by then-Speaker Stockwell with respect to advertising and an advertising campaign that had been raised by the government of the day with respect to another issue that appeared to anticipate the action of the Legislature, and I'm referring specifically to the Journals of this House, volume CXXVI, 1995-96-97, part 2 of 2, 36th Parliament, first session, page 455. Quoting from the Speaker's rulings, he rejected the argument at the time that privilege had been violated but addressed the issue of contempt of the Legislature. He cited Erskine May's definition of contempt and, if you'll permit me, I'll read that into the record:

"Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as contempt even though there is no precedent of the offence. It is therefore impossible to list every act which might be considered to amount to a contempt, the power to punish for such an offence being of its nature discretionary...."

It's come to our attention that the University of Ontario Institute of Technology has in fact hired staff, it has set up a Web page, it has taken a number of steps that would appear to contemplate the Legislature having already passed the enabling legislation.

1430

Speaker Edighoffer, some years ago, and you yourself, Mr Speaker, have dealt in different rulings with the question of whether it's appropriate for public servants to begin the implementation of projects that would emanate from legislation. The Speaker will be aware that on a number of occasions Speakers have found that—and I'll quote Speaker Edighoffer's original ruling—"It is perfectly valid for the public service to proceed"—and I highlight the word "proceed"—"with plans based on a bill that is already in the system in order to be able to act swiftly...."

The point I'm raising with respect to contempt is that, (1) this House has not in fact passed the legislation that would enable the university to be established, and (2) from the perspective of the official opposition the actions that have been taken to date—and this is where we need your help, Mr Speaker; we can't determine if it's by the government or by officials associated with the school—go beyond planning. They are a contempt of this Legislature that is impeding our ability to deal with this issue meaningfully without the bill being passed. In fact, one of the parties in this Legislature, the third party, blocked passage of that bill in December.

Mr Speaker, I would ask that you review this. It is our understanding that a number of people have been hired and the proposed university contained in this bill has everything ranging from Web sites through to other expenditures, which would appear to go well beyond planning, and that would therefore hold this Legisla-

ture—paraphrasing previous rulings—up to ridicule or impugn its ability to deal with bills before it.

Accordingly, and given the fact that the government just this morning notified us that they wish to call the bill this afternoon, I would ask you to look into this situation as we believe that if the bill hasn't been passed, how can we have staff on, how can we have Web sites up and running, how can we be doing things that on the face of it appear to go well beyond planning for the implementation of this legislation?

**The Speaker (Hon Gary Carr):** The member for Niagara Centre on the same point of privilege.

**Mr Peter Kormos (Niagara Centre):** Speaking very briefly to this matter, clearly the Liberal House leader has changes of mind as well. I want to advise the House that the New Democrats have no intention of joining with the Liberals in this obstructionist tactic to this legislation. We want the legislation to proceed through debate, second and third readings, in due course. If the Liberals want to obstruct and delay it, God bless.

**Hon Mr Stockwell:** Mr Speaker, I would heartily suggest to you that the sage and thoughtful advice for the House leader of the third party is the position you should probably follow on this. It is truly obstructionist. Any person who has spent some time in this House would understand by a reading of the rules that contempt needs to fall under categories. I don't know how this argument about contempt today meets any category that could remotely be classified as contempt of the Legislature, let alone any category I've seen.

*Interjection.*

**Hon Mr Stockwell:** I appreciate what he said; I heard him. I'm just responding.

First and foremost, it is the University of Toronto that is moving forward, not the government of Ontario. They have seen legislation that is before this House and, by being before this House, they have done what every government has done in the past 30, 40 or 50 years. Speaker Edighoffer was correct: you may proceed and plan for eventualities. The civil service often moves when legislation is drafted and before the House to proceed and plan. There's a long, long way to go between proceeding and planning, and simply advertising—implicating—that the legislation in fact moves forward.

*Interjections.*

**The Speaker:** Order. Would the minister take his seat. I've said on numerous occasions that it's fine to argue, but during points of privilege or order, I need to hear without the heckling. I would ask for all members' co-operation. The other side waited patiently for the point of privilege from both sides. I expect the same co-operation from the official opposition. Sorry for the interruption, government House leader.

**Hon Mr Stockwell:** Mr Speaker, I suggest if you check through the history of this place, you will find circumstances within universities and outside universities where significantly more than 16 people were hired in preparation—significantly more. In fact, my first thought would be hundreds when setting up a new or different



administrative process to prepare and plan to proceed if an eventual adoption of legislation proceeds forward in this House.

Everybody would know that. Anybody who has spent any time in the Legislature as a government minister would know this happens on a routine and regular basis. That's why Speaker Edighoffer ruled as he ruled, to prepare and proceed with plans. That's exactly what is taking place. They're preparing and proceeding with plans in the eventuality that this legislation would pass. That is a common, century-old tradition that has been used by every government in this place and every administration that has happened to sit in this place at the time it was in fact the government.

Third, Mr Speaker, I don't know what the member would expect if there is nothing given to you in actual form, because he provided no evidence, nor have I been provided with any, that in fact this is taking place, just hearsay documentation that I've seen. He may have, I guess, a couple of news Web sites and so on. That wasn't provided to me. I can only presume, Mr Speaker, that if he didn't provide it to you, he hasn't provided it. So ultimately he's making an argument on evidence that he doesn't want to supply the opposition with, which of course is kind of bizarre. He's asking you to rule on something, claiming we should take his word for it and providing absolutely no evidence.

Lastly, I don't know what he suggests you do—go on a fact-finding mission to the University of Toronto? It is patently absurd that in this chamber a member of the opposition would suggest there's legislation before this House that could potentially change the role of universities to offer degrees, and he wants you to go on a fact-finding mission to—where?—Ryerson, the University of Toronto and the other ones. This is absurd. This is not a contempt motion; this is a dash through the woods to see if they can hear any trees falling.

To suggest for a moment that this is contempt is ridiculous. I'm in favour of holding up our calling this bill today for the purpose of reviewing, until of course the time to call it is concerned, because in the old vernacular of the schoolyard, this is what you call a slam dunk. There's nothing here.

**Mr Duncan:** In response, the minister forgets his own findings and ruling when he was Speaker. In fact, we did not call a point of privilege, because privilege does have specific categories. What you found, Minister, when you were the Speaker was that contempt is much broader and you don't have to be specific.

We will table this. In fact, it had been our hope to give a more full presentation, but the government told us Thursday they'd be calling one thing this afternoon and then late this morning dropped another thing on our laps without giving us the opportunity.

What the minister will find, if he reviews a number of Speakers' rulings, is that the issue does revolve around what is proper planning. I cannot find a ruling that defines what is appropriate planning. I will table today copies of the information we have. Today's Web site

posted a new hiring: director of public relations. There have been a number of newspaper accounts outlining what has been undertaken.

We believe it's important for you, sir, to define this carefully. You may in fact find there is no contempt of the House. We ask you to look into it.

**The Speaker:** I thank the member very much. The member for Niagara Centre very quickly, if he could, please.

**Mr Kormos:** Perhaps I have to accept some responsibility, because I've given a number of interviews to the media over the last week where I've explained that the government has a majority and that if the government wants this bill or any of its predecessor stand-alone bills to pass, they indeed will pass. The only problem is that to date the government hasn't wanted it to pass.

**The Speaker:** I've heard enough. Let me say very clearly that the member hasn't provided very much information. If in fact it's just people hired and Web sites set up, that wouldn't be enough to go through with it.

You will also know, as the government House leader pointed out, that I do not do the investigations. If you do want to provide me with some subsequent information, I will take a look at it. But let me be very clear: based on the information you've given me today, we can proceed with that bill this afternoon. If the member does provide some information, I will take a look at it and see if it warrants any investigation.

1440

## ORAL QUESTIONS

### EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. Today my education critic, Gerard Kennedy, and I put forward an emergency plan to help students who are falling behind because of your flawed funding formula. Kids can't wait, Premier, until your review is completed and then, after that, until such time as you finally make your changes.

One of the things that our plan calls for is a moratorium on school closures until the review is completed. It simply does not make sense to close schools which could very well be kept open under a revised funding formula. Would you not agree, Premier, that we should be putting school closures on hold until you get the funding formula right?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** As the leader of the official opposition well knows, school closures have been going on in this province and in every board for many, many decades.

**Mrs Sandra Pupatello (Windsor West):** Not like these.

**Hon Mr Eves:** I say to the honourable member for Windsor, she may be interested to know that between—

*Interjection.*

**The Speaker (Hon Gary Carr):** Premier, take your seat. The member for Windsor West, please come to

order. He's trying to answer the question and you're yelling across. You're very close and it interferes with his being able to reply.

Sorry for the interruption, Premier.

**Hon Mr Eves:** This new-found concern for the education system by the honourable members opposite—between 1985 and 1990 when David Peterson's government, of which they were a part, was in power, there were 37 public and separate school closures in Toronto in those five years. In seven years, between 1995 and 2002, there have been 20 school closures in Toronto. So I'm glad to see that the leader of the official opposition is now concerned about school closures.

**Mr McGuinty:** Premier, just so we're clear, so far under your funding formula 178 schools in Ontario have closed and 10 more are scheduled to close in Toronto next year—just so we have that right.

Tests show that there is a record number of students who are falling behind. This is another matter that we think cannot wait. In fact, double the number of students are failing under the new curriculum in comparison to the old. The group that is particularly having difficulty, the group that is really struggling, is next year's grade 12 class. They're having a very hard time, particularly with maths and sciences. As you will note, Premier, they are the first group to be in the compressed high school curriculum, going from five to four years; they're going to be competing, as well, as part of the double cohort. I am sure you will agree, Premier, that next year's grade 12 students are not stupid, they are not lazy, and I know they can make it if they just get the necessary supports.

My question to you, on behalf of them and their parents is, will you act to put in place necessary supports like remedial classes and homework help?

**Hon Mr Eves:** I'm sure the Minister of Education can provide a very direct response.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Our government has worked very hard in order to provide the appropriate level of support for the students in our secondary and our elementary schools. In fact, I think it's important to note that since 1999 we have provided \$55 million in funding for remediation. In fact, this past month, as the leader of the opposition knows, we provided additional money for the students in the elementary grades for English and for math. As well, on May 10 of this year, we announced additional funding for the school year 2002 to 2003, including \$15 million for the learning opportunities grant to help students who are at risk of not achieving their academic goals. We are giving the appropriate level of support, we are responding to the needs of parents, students and teachers, and we will continue to be responsive.

**Mr McGuinty:** Madam Minister, you and your predecessor in your government were so responsive that you took \$1.8 billion out of education funding in Ontario. That's the degree to which you've been responsive.

There are 39,700 students on a waiting list for their first special-education assessment. These are our highest-need kids, and you are making them wait the longest.

**Hon Mrs Witmer:** How many?

**Mr McGuinty:** Thirty-nine thousand, seven hundred students, Madam Minister.

This year, it's going to cost somewhere between \$50 million and \$70 million of scarce education money on a very bureaucratic paper-shuffling approach—this is something the boards have to go through to get the funding necessary for these kids. These kids can't wait. That money could be better spent on meeting their needs.

Why not replace your convoluted paper-shuffling exercise with a simpler audit system and turn that money over to the kids so their special-ed needs can be met?

**Hon Mrs Witmer:** We have consistently increased special-education funding. Overall, it's 17% since 1998 and 1999—

*Interjections.*

**The Speaker:** It's too loud. Order. The Minister of Education.

**Hon Mrs Witmer:** As I say, we have increased the funding by 17%. But more importantly, we have kept our promise to protect funding for vulnerable children. We are providing over \$1.37 billion in special education.

I might recommend to the leader of the opposition that the numbers he is throwing around today should be checked and verified. In your news release today, there is more fiction than fact. You have drawn numbers out of a hat, you have referred to data that has questionable methodology, and you have based it on very, very limited information. I would be very careful about the data. It's not our data; it's your data.

## HYDRO ONE

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question to the Premier. Premier, as much as you would like Ontarians to forget it, you were Mike Harris's Deputy Premier and Minister of Finance. You were a four-star general in the Common Sense Revolution.

In those roles, you were instrumental in the decision to exempt the new Ontario Hydro companies from both the freedom of information act and the salary disclosure act. Can you tell us why you decided to hide the pay and perks over at Hydro One and OPG from public view?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** If the facts were hidden from public view, we wouldn't have had questions about them in the House for the last two weeks.

**Mr McGuinty:** Premier, you would know that was the result of a prospectus being filed. Had that not happened, we would never be aware of those salaries.

By choosing to exclude Hydro One's board from the FOI laws, you laid the groundwork for outrageous salaries. Then over the course of the past three years, behind closed doors, you quietly supported the ridiculous increases in pay. In 1999, the president and CEO got a salary of \$1 million. You agreed to that. In 2000, it went to \$1.5 million. You agreed to that. In 2001, it went to \$2.2 million. You agreed to that. Not once did you speak out against these numbers. Not once did you say they were wrong and that you were not going to stand for it.



Your job was to protect hydro ratepayers. You had an option. Why did you roll over for the board? Why did you not stand up for ratepayers?

**Hon Mr Eves:** First of all, Hydro One salaries are listed in publications and posted on the Ministry of Finance Web site: for 1997, April 1, 1998; for 1998, April 1, 1999; for 1999, December 27, 2000; for 2000, May 24, 2000. They were all there for everybody to see. They were not, quite frankly, at the ridiculous amounts for 2001 that the leader of the official opposition points out in 1997, 1998, 1999 or 2000.

1450

**Mr McGuinty:** Apparently the Premier was well informed of these issues at all times: he was aware of the \$2.2-million salary, he was aware of the \$6-million severance, he was aware of the \$175,000 for a car, he was aware of the \$172,000 for vacation pay, he was aware of the money that was sunk into a yacht as a promotional exercise. He was aware of all these things, and yet he did nothing.

Can you tell me once again, Premier, why it is that when push comes to shove, you're on the side of the board of directors and you didn't stand up for ratepayers?

**Hon Mr Eves:** The leader of the official opposition knows, or should know, full well that the huge increases to the CEO and other executives at Hydro One occurred on March 28, 2002, and on May 8, 2001. For his information, I was not a member of the Legislative Assembly on either of those dates. He was—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. It's too noisy. Order.

New question, the leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. People across Ontario are furious about the way your government is wasting their money. Under your government, public money, the people's money, is used at Hydro One to sponsor luxury sailboats and multi-million dollar salaries.

Now we learn that under your government Hydro One has also been sponsoring politicians. Last year, under your government, Hydro One gave \$7,500 to the Conservative Party and \$5,000 to the Liberal Party.

Premier, is it acceptable under your government for a government-owned corporation, Hydro One, to be giving the people's money to the Conservative Party and to the Liberal Party?

**Hon Mr Eves:** I'm not aware of the amounts that the leader of the third party is talking about. I'd be happy to take them under advisement if he has them available.

**Mr Hampton:** Well, Premier, this happened in the by-election in your old riding after you decided to go to Bay Street as an investment banker. Hydro One contributed \$7,500 to the Conservative campaign and \$5,000 to the Liberal Party.

*Interjection.*

**The Speaker:** The member for Trinity-Spadina, please put that down. Sorry for the interruption, leader of the third party.

**Mr Hampton:** Premier, we could slap a sticker on you and Mr McGuinty: "Sponsored by Hydro One," or "Property of Eleanor Clitheroe and Hydro One." But Hydro One is owned by the people of Ontario, and the people of Ontario never authorized your government to use Hydro One to funnel public money to the Conservative Party or to the Liberal Party.

Premier, the people of Ontario need to know that the government of the day, your government, is not funneling their money, their public money, into the Conservative Party. Will you guarantee that the Conservative Party will return the \$7,500 to Hydro One, and will you admit it was totally wrong for this to have happened in the first place?

**Hon Mr Eves:** I'm not aware of the amounts and the circumstances he talks about. I'd be happy to take them under advisement.

**Mr Hampton:** It is there in the auditor's report from the 1991 by-election: \$7,500 to the Conservative Party, \$5,000 to the Liberal Party. But the bigger issue, Premier, is that if democracy is to work, the political process must be clean and must be seen to be clean. Instead, we've got Admiral Eves and First Mate McGuinty joining Captain Clitheroe on HMS Hydro One Excess.

Is this what you mean when you say that Hydro One must submit to private sector discipline, that Hydro One should start doling out million-dollar salaries and political contributions, like the rest of your friends on Bay Street, to the Conservative Party? That might work for the Conservative Party; you might get a lot of political donations from privatized hydro. But the only thing that happens to the ratepayers is their hydro rates get increased to pay for this kind of excess.

Premier, the bigger question is this: will you listen to the people and cancel the privatization of Hydro One so more excesses like this can't happen—

**The Speaker:** I'm afraid the member's time is up. Premier?

**Hon Mr Eves:** I have several comments, actually. First of all, I don't believe there was a by-election in 1991, but he may or may not wish to change his mind about that. Hydro One I don't believe even existed in 1991, to start with.

I am certainly not qualified to be an admiral; I'll leave it to the leader of the official opposition to decide whether he wants to be a first mate or is qualified to do so.

With respect to his question about the privatization issue, the formation of Hydro One and the continuance of it, you can't have it both ways, I say to the leader of the third party. He argues on the one hand that he wants Hydro One to stay exactly the same as it is today because it's doing such a great job, and on the other hand he stands up and asks questions every day about what a crummy job it's doing and asks, "Why won't you fix it?"

**The Speaker:** New question.

**Mr Hampton:** Premier, wherever privatized hydro has happened, whether it's California, Montana, Pennsylvania or Alberta, people are paying more for their rates

and they have less control over an essential public service. But the issue here is that you have known about this, or you should have known about this, for over a year. The by-election in 2001—the financial reports were in almost a year ago. I warned your Minister of Energy six months ago about the bloated salaries that were being paid out at Hydro One under your government, and so far you have done next to nothing.

So I'm going to give you a hand. I'm going to introduce tomorrow a private member's bill, the Clean Up Hydro One Act. It will bring Hydro One senior management salaries down to the level of companies like Hydro-Québec or BC Hydro and the severance packages will be in accordance with the law. Premier, If you want to do something about this, will you pass my Clean Up Hydro One Act and start to do something about what's happening here?

**Hon Mr Eves:** Obviously I would be interested in looking at any proposed legislation that the leader of the third party might have, as indeed I was interested in looking at Ms Churley's legislation.

**Mr Hampton:** We know on the record that even though BC Hydro and Hydro-Québec are much bigger companies than Hydro One, their executive salaries are limited to \$400,000. So a generous interpretation would keep Eleanor Clitheroe's salary down to \$500,000 or less.

But there are other measures that need to be implemented. We need to make it illegal, if it isn't illegal already, for government-owned corporations to then make financial contributions to the government party. Are you in support of those measures, Premier?

**Hon Mr Eves:** I'm just as concerned as he is about compensation levels of senior executives at Hydro One.

**Mr Hampton:** Then do something.

**Hon Mr Eves:** With respect, we are doing something.

The Ministry of Energy asked the board at Hydro One to rectify the situation that they had created with respect to issues that concern all of us in this Legislature. There has been a response, as I understand, a fairly detailed response from Hydro One's solicitors to the solicitors for the government, for the Ministry of Energy. Unfortunately, that response seems to be somewhat qualified and somewhat unacceptable, and we will be required to take further action.

1500

## HOME CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. I want to talk to you about the Leatham family, who have joined us today in the Speaker's gallery. They have written to you twice now and have written a number of times to the Minister of Health, and they are looking for your help.

Marlo is suffering from cerebral palsy, spastic quadriplegia and developmental delay. She cannot walk, dress or even roll over on her own. The Leathams used to receive 54 hours a week of care from their local com-

munity care access centre. That has been cut by your government to 15 hours a week—from 54 hours a week of help to 15 hours a week. This family is in a desperate position, Premier, and they're looking to you for help. What help will you provide for them?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'd ask the Minister of Health to directly respond to this concern.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I believe I have replied to the honourable member in writing but perhaps he has not received it yet. I can tell this House that of course CCACs make decisions every day. Some of those decisions are difficult and some of them involve facts that are certainly not brought before the government, are particular to the particular circumstances. I'm not about to talk about a particular case in this Legislature, but if the honourable member has not received my letter in due course, I'd be happy to brief him on it.

**Mr McGuinty:** Premier, I want to go back to you and quote to you a letter just recently sent to you, I think in the last week and a half, from the Leathams. It says, "We have already been in contact with the Honourable Tony Clement ... on several occasions.... He has refused to meet with us, speak with us or assist us.... we have had no assistance from him in the past 16 months. We are asking you to help us."

They have come here today—and that is a considerable undertaking in and of itself, Premier—and they're asking you to agree to look into their personal circumstances and to take an interest in their plight, and then after having done that they want you to help them. It is unfair to plead that this is somehow the independent activity of a CCAC. CCAC boards are now appointed by the government and their funding is controlled by the government. That funding was cut from 54 hours to 15 hours every week. This family is struggling to keep up with a tremendous responsibility and they want you to look into this and they want you to help, Premier. Will you do that?

**The Speaker (Hon Gary Carr):** Minister of Health.

**Hon Mr Clement:** I hope the honourable member understands that I'm at a bit of a loss. There is some information that I do have on this file. I do not feel it is appropriate to release this information publicly in this venue. I'd be happy to do so if I get a release from the family to do so, but in the meantime I want to assure this House that there are efforts underway. I suppose that is the best I can do, given the state of our laws and for very good reasons.

## FRENCH-LANGUAGE SERVICES

**Mr Doug Galt (Northumberland):** My question is directed to the minister responsible for francophone affairs. For several decades the province of Ontario has provided all official documents and reports in the two official languages. Most of the time reports and documents in both official languages are tabled in the Legis-



lature at the same time. Minister, can you explain to the people of Ontario and in particular to the people in my riding why it is so important to table the French adaptation at the same time as the English copy, even though the English version could be tabled much earlier?

**Hon John R. Baird (Associate Minister of Francophone Affairs):** The French Language Services Act, adopted by all three parties in this House more than 10 years ago, requires that documents, like government reports intended for broad public distribution, be made available to the public for both anglophones and francophones in both French and English. Wherever possible we do our very best to ensure that these reports are made available at the same time, for the simple reason that we want anglophones and francophones in Ontario to have equal access to the important information contained in these reports.

**Mr Galt:** I certainly agree with your response, Minister. However, the need for French adaptation has caused a significant delay in tabling reports such as that of the select committee on alternative fuel sources. As you're well aware, the committee was given a mandate to report by May 31, 2002. The all-party committee worked extremely hard, and I compliment the members for meeting the deadline. They worked hard to meet that required deadline only to find out that the translation could not meet the deadline of the end of May.

Minister, in many cases the private sector is delivering services in a cheaper, faster and more efficient manner. However, in this case, where is the accountability of the private sector firm in delivering the French translation services?

**Hon Mr Baird:** It may come as a surprise to the member of my party that the Ontario Legislature is not covered by the French Language Services Act. However, by long-standing tradition and policy, all of us in this House do our very best to provide documents in both French and English at the same time.

The select committee in question, on which the honourable member has very capably served, did meet all of its timelines, as did all members of this House, in providing their report. The committee did request from all three House leaders that an extension of one or two weeks be granted to allow for a proper translation of the report. There was absolutely no public policy reason to provide the English copy prematurely, so the House was happy to do that.

We want to ensure that when reports are translated, they not just simply be translated but they be translated in a quality format so that all Ontarians, whether they be French or English, in any part of the province, have access to good, quality information.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Speaker, on a point of order: I just want to respond to Mr Bisson's question with respect to the French translation. I've been informed it should be on the Web site in French before the end of question period today. Part 1 is still a couple of weeks away.

**The Speaker (Hon Gary Carr):** I thank the House leader for the clarification.

#### CONFLICT OF INTEREST

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier regarding your standards for conflict of interest. You will be aware that Mr Al Leach is on the board of directors of the Highway 407 corporation, a private company that owns the 407. They have seen their company quadruple in value in the last three years. It's an enormously profitable operation for them, and it benefits from congestion. Your government, however, has recently appointed the same Al Leach to be the vice-chair of GO Transit, a public company that is designed to relieve congestion in the GTA.

It is, in my opinion and the opinion of many, a direct conflict. He is serving the private owners of the 407 corporation and trying to serve the public as vice-chair of GO. My question to you is this, Premier: is it acceptable for Mr Leach to be on both boards and to try and serve both masters?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'd be happy to take the circumstances outlined by the honourable member today and get back to him with a response.

**Mr Phillips:** I appreciate that, but it is a relatively straightforward matter dealing with your principles of conflict. The facts are that Mr Leach is on the board of directors of the 407 corporation. The 407 corporation initially had an equity investment of about \$750 million three years ago; now it's worth \$3 billion. It has quadrupled in value. The 407 corporation is an enormously profitable operation and he is on the board. But you have just recently appointed him to be the vice-chair of GO, and their job is to relieve congestion. Every single decision made by Mr Leach will have a financial implication for the 407 corporation. We see it today. We see that as GO is seeing some labour disputes the 407 is benefiting substantially.

It's a fairly straightforward question, Premier, on your principles. Do you see this as a conflict of interest and will you move to eliminate this and other similar conflicts?

**Hon Mr Eves:** I don't recall appointing Mr Leach as vice-chair of GO Transit. My memory may not be serving me well today, but I don't recall that appointment going through any cabinet meeting that I was at. So I will be happy to take the honourable member's question under advisement and get back to him.

1510

#### PETERBOROUGH REGIONAL HEALTH CENTRE

**Mr R. Gary Stewart (Peterborough):** My question today is for the Minister of Health and Long-Term Care. Minister, last Friday I attended an event to announce the relocation of the Peterborough Regional Health Centre

helipad. I am pleased to tell you that at that announcement we drew more than 100 people, which gives you and this House an idea of just how important this initiative is for a new hospital in Peterborough. Minister, can you give this House some additional details of that particular announcement and initiative?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the member for Peterborough for the question and, if I may, Mr Speaker, also indicate to the leader of the official opposition that we are arranging for a meeting with the London family to which he referred in a previous cycle. I neglected to mention that.

Back to Peterborough; I can tell you that the Ernie Eves government has provided \$750,000 in funding to make improvements to the Peterborough Regional Health Centre. That will be toward the relocation of the air ambulance helipad, and this will allow the hospital in turn to have better access for incoming and outgoing air ambulance services. This means better, safer, faster and more convenient and efficient service for all of his constituents. I believe this project is a giant and important first step to the hospital's ongoing redevelopment project.

**Mr Stewart:** Thank you, Minister, and you're absolutely correct; this is a major initiative for Peterborough and for all of the citizens in the community.

Minister, it is my understanding that the helipad is just one of many initiatives this government has undertaken in the hospital in my riding, needless to say, as well as in many hospitals throughout Ontario. Can you please tell the members of the Legislature some of the other initiatives your ministry has made at our hospital as you continue to make health care one of Ontario's priorities?

**Hon Mr Clement:** I think it should be put on the record how important this project actually is for the people of Peterborough. And I should say that Peterborough Regional has been working with us. It's been a true partnership. There has been a major fundraising campaign which has raised over \$14 million locally, exceeding the goal of \$10 million raised locally. In addition to the \$200-million new hospital that that fundraising campaign is a part of, I can tell you in the meantime there have been ongoing investments by this government for the city of Peterborough in health care: an additional MRI which became operational in July 2001; 120 additional acute-care beds; funding for surgical sites; funding for diagnostic imaging; and emergency room expansion. This is the new and improved Peterborough Regional Health Centre and it will help the citizens of Peterborough, and too, the new hospital is up and running as well. Congratulations to the entire city.

#### EDUCATION FUNDING

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Premier. Premier, I want to draw your attention to the international language program and the African heritage/black cultural program. Both of these programs have been around or taught in the city of Toronto since the late 1970s. You will know that in the

international language programs, Chinese is taught, Vietnamese, Portuguese, Italian, Farsi, Gujarati, Hindi, a multitude of languages, and what is taught in African heritage is the pride and the learning of black heritage, black culture.

You know that the African heritage program is not funded at all by you but rather by the Toronto board, and the international languages get some money from you but not a lot. The Toronto District School Board recognizes that these programs are vital in a globalized economy, but they're on the chopping block. They won't be able to do it without your help. Are you going to be there to help them keep these programs?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I'll refer the question to the Minister of Education.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** We take very seriously the issue of funding for these students. I'd like to just say that for 2001-02, the per pupil funding amount in the ESL component, the language grant, was increased. These changes increased board spending on ESL by approximately \$20 million or 16.4%.

**Mr Marchese:** I do want to assist the minister by reminding her that the international program and the African heritage/black cultural program are radically different from ESL. It's a different program. And she ought to know, given that she raised it, that teachers in the ESL programs have been cut by 60%. We know that. But that is a different program altogether.

I want to help you, Minister, by saying to you that the international language program gets some money from you but not a lot. There's very little money for co-ordination, there's no money for professional development, and the African heritage/black cultural program gets absolutely no money from you whatsoever. It's on the chopping block. It was about to die last year and it will certainly die this September. They need you. Will you be there to keep these programs alive or will you abandon the field altogether?

**Hon Mrs Witmer:** We take very seriously the issue that has been raised by the member of the third party. I would just remind the member that we have recently made available to school boards throughout the province an additional \$350 million this year. As you know, there is a local funding component and certainly they have the opportunity—there's flexibility there—to use that money as they would best see fit. This is what school boards have asked us for. They have asked us to provide flexible funding in order that, depending on the circumstances of each board—obviously, the needs of boards up in Thunder Bay are radically different from those in Toronto, so there is the opportunity there for them to use the local priorities grant to respond to these types of initiatives.

#### CANCER TREATMENT

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Minister, we've learned



that you indeed have plans to cut funding to radiologists in Ontario. Their response is that if you go ahead with this plan, it will literally force hospitals to shut their CT scanners off. This comes at a time when we already have out-of-control waiting lists for diagnostic tests. You'd probably be interested to know that the waiting list for a mammogram at the Dufferin-Caledon Health Care Corp is eight weeks long.

Breast cancer is the leading cause of death among women. While you are making some women wait as long as eight weeks to get a medically necessary test done, I'd like to know why you're choosing to put the lives of women in Ontario at risk by denying them proper, timely access to these diagnostic tests.

**Hon Tony Clement (Minister of Health and Long-Term Care):** The first part of the honourable member's question had to do with funding and she's just plain wrong. I don't know where she's getting her information.

**Interjection:** The Toronto Star.

**Hon Mr Clement:** Oh, the Toronto Star. That explains a lot. She's just plain wrong and there's nothing more that has to be said about that. Indeed, it is the Ernie Eves government that has committed in the throne speech to add more diagnostic machines and to increase the number of OHIP-funded hours for MRI diagnostics, for instance.

The honourable member mentions mammograms. She should be aware that I participated in a highly regarded celebration in Barrie, Ontario, recently with the honourable member for Barrie-Simcoe-Bradford where we in fact opened up more time and more space and more procedures. This is happening across the province. So yes, there are additional challenges to be met, but I can tell you that certainly this government and the previous government have made the right kind of investments to ensure that this is a priority.

**Mrs Papatello:** In Oshawa people have to wait six weeks to get an X-ray to see if they have colorectal cancer. You'll know that colorectal cancer is the third most common cancer among both men and women. We know that when it comes to diagnostics and treatment of cancer, timing is everything. It's often a matter of life and death.

In Ontario, under seven years of this government's watch, the problem has gotten worse. In our hospitals the average waiting time for radiology tests has increased two and a half weeks in the past year alone. Ontario families want to know why you have not made this a government priority. Why have you allowed this problem to spiral out of control—an average increase in Ontario hospitals of waiting times of two and a half weeks?

1520

**Hon Mr Clement:** The honourable member is now talking about another terrible disease which we all wish was not prevalent in our society, but the fact of the matter is, new investments in cancer services have been the hallmark of this government. I believe it is close to a 30% increase over the last five years alone. The fact of the matter is, whether we like it or not, we know that the

incidence of cancer is increasing in our society. I wish it were not the case, but it is the case, and therefore our kinds of investments have increased as well.

The honourable member should know that we have had an increase in the Ontario breast screening program, just to answer the previous part of her question, of \$24.3 million recently. So the investments, again, are there.

If the honourable member has a particular case where the standards of this government or of this society are not being met, tell us about the case. We should be aware of that, certainly. But in terms of the investments being made, the concentration to ensure that we have the right investments in the right place, this government is doing what it said it would do and doing the job for Ontario's citizens.

#### ARTS AND CULTURAL FUNDING

**Ms Marilyn Mushinski (Scarborough Centre):** My question today is for the Minister of Culture. Minister, first of all let me start off by congratulating you on your recent appointment. We all know you as the Chair of the Management Board of Cabinet, but as many of us also know, you're a great aficionado of the arts. The people of Ontario, I believe, will be well-served by you in this new portfolio.

Minister, we all know that this government has a proud record of sound fiscal management, unlike previous governments that we won't talk about. This government has balanced the budget for two consecutive years, and we expect the 2001-02 budget to remain balanced despite the economic downturn. All along we've been able to invest record amounts into health care, but we all know that there are other important areas, such as culture, in which this government plays a very important and critical role.

Minister, can you tell this House what this government is doing to support cultural institutions in this province?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** I'd like to thank the member from Scarborough Centre for her kind remarks.

First of all, this government places a great value on arts and culture. Speaker, I'll indicate to you some of the ways in which millions of dollars have poured into the arts and culture community which have tremendous returns not simply in culture but also in tourism and in the economy in this province: the Ontario Arts Council, for example, \$25 million; the Ontario arts endowment fund, \$50 million; the cultural attractions fund, \$50 million; the Trillium Foundation, of course; SuperBuild, \$300 million. These are great investments we've made, recognizing the value not only to culture and art but also the value to the economy.

**Ms Mushinski:** Thank you for that response, Minister. I had known that this government has always been very supportive of the arts in Ontario. In fact, this is illustrated by the throne speech that was delivered by the Honourable James Bartleman on May 9 this year, which

states our government's commitment to working with the federal government to enrich the arts and cultural institutions in the province.

Minister, could you please tell me what specifically this government is doing to encourage co-operation between the federal government and the provincial government and its cultural institutions? It would be interesting to know if the Liberal opposition is also interested in this question.

**Hon Mr Tsubouchi:** Last week marked two very important cultural events. First of all, on June 3, my grandson Ethan turned 3, and he indicated that when he grows up, he wants to be exactly like Tie Domi.

The other event, equally as important, of course, is that last Friday I was able to be there at Premier Eves's announcement, along with the Prime Minister, in support of a strategic investment in seven flagship cultural projects. I was pleased to be there as well with the associate minister of health, Dan Newman; the member for Scarborough East, Steve Gilchrist; and the member for Scarborough Centre, Marilyn Mushinski.

This heralded a renaissance of growth and prosperity in Toronto for the cultural community. We have invested \$233 million jointly between the federal government and the province through the Canada-Ontario infrastructure program, which will directly assist the Royal Ontario Museum, the Canadian Opera Company, the Art Gallery of Ontario, the National Ballet School, the Royal Conservatory of Music, the George R. Gardiner Museum of Ceramic Art and Roy Thomson Hall in their capital improvement projects. This will maintain these world-class institutions in Toronto as leaders in their fields. Of course, this needs investment; I believe we have done so.

#### POLLUTION CONTROL

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment. Last week you were bragging to this House about your government's hard emission caps on Ontario's electricity sector. Your boasting came in defence of a scathing report on your government's environmental record. Last week, NAFTA told us that your government, since its election in 1995, has been the worst environmental performer of any government in the North American jurisdiction. Your government has turned its back while over 20,000 extra tonnes of lethal toxic environmental contaminants have been released into the air, water and soil since 1995.

Today we learn of another environmental failure of the Eves government. We learn that your own coal-fired electricity plants exceeded their pollution caps by 6,600 tonnes last year. In other words, your government's plants exceeded pollution limits by over 6,000 tonnes in 2001 and you've done nothing. You failed to make this information public and, in consequence, you failed to let the public know of the risk posed to their health due to your government's pathetic environmental record.

Minister, two questions: first, why are government-owned electricity plants exceeding pollution limits, and

second, why has your government failed to notify the public of this disturbing lethal breach of pollution laws by your own plants?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I can honestly say that in one minute I didn't hear one accurate statement.

**Mr Bradley:** Honestly say?

**Hon Mr Stockwell:** Not one accurate statement in one minute. First of all, we weren't the lowest-ranked jurisdiction in North America; let's get that straight. Second, who were the highest-ranked jurisdictions? Hawaii, Guam, Prince Edward Island. Why? Because they don't produce a lot of product out there. They don't produce jobs; they don't produce prosperity.

If we listen to the thinking of the critic for the environment, the only way he wants to get up to number one is that we close down all our infrastructure, close down all our plants, close down all our manufacturing and lay everybody off and put them on welfare. Then we'll be number one. That's the logic the critic has: close everything down, don't create any jobs, no prosperity, put everybody on welfare and we'll be number one. We'll be like Guam. That's the kind of logic.

Look, there were two parties that tried that for 10 years and they're both sitting over there. That's not the kind of prosperity we see. We're still hard on pollution. We're putting the caps in place and we've introduced—

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Bradley:** As an environment critic I couldn't have asked for a better answer than that. Thank you very much.

Minister, this year over 1,900 people will die prematurely because of lung cancer, heart failure or other conditions related to smog, produced in large part by your coal-fired plants. Thousands more will be hospitalized with respiratory problems. Your coal-fired plants already emit 23% of the acid-rain-causing, lung-irritating sulphur dioxide in the province. Your coal-fired plants emit 23% of this province's lethal nerve toxin called mercury. Your coal-fired plants produce thousands of tonnes of the chief smog-causing pollutant nitrous oxide. Despite this, you and your colleagues in the Conservative government are allowing your own coal-fired plants in Nanticoke, Lambton, Mississauga, Thunder Bay and Atikokan to commit breaches of pollution limits.

**The Speaker:** Question?

**Mr Bradley:** Given the serious threat posed to the health and safety of Ontario residents by your law-breaking electricity generators, and given that your OPG plants' pollution emissions are spinning wildly out of control, will you today commit your government to the elimination of coal-fired electricity generation in Ontario and will you provide us with a timetable for this elimination?

**Hon Mr Stockwell:** As Minister of the Environment I couldn't ask for a better critic.

*Interjections.*



**Hon Mr Stockwell:** Do you know what? I don't need notes for that question. Take my word for it. There are no notes needed for that question. If there was anything accurate in it, I may need notes. But since there's nothing accurate, I don't.

Let's be clear: first and foremost, you were Minister of the Environment. You were running coal-fired plants. Why didn't you shut them down?

1530

**Mr Bradley:** That was years ago—a long time ago.

**Hon Mr Stockwell:** That was a long time ago. That was before you became an environmentalist, when you could actually do something about it. That's when it was.

Second, we all know about the coal-fired plants and we all know about OPG. We all know that emission reduction credits were accepted by the pilot emissions reduction trading program. I know he knows that, he quite often quotes it to me, and OPG is able to reduce their net emissions in line with voluntary commitments.

What does that mean in layman's terms? They've gone lower than the standards. They've reduced more than they've been told to reduce. They're below those standards.

Finally, as Minister of the Environment, if you were so concerned about the coal-fired plants, why didn't you shut them down? You didn't because you know that during peak periods of time, we need the coal-fired plants to keep the hydro on in certain people's homes.

So are you suggesting that we shut them down and turn out the lights for seniors across this province? If you're saying that, stand up and say it. Otherwise, the question is moot.

### TRUCKING SAFETY

**Mrs Julia Munro (York North):** My question is for the Minister of Transportation. We all know that Ontario's economy is booming. Ontario is expected to grow faster than any of the G7 countries in the next four years. Productivity in Ontario's manufacturing has improved dramatically, averaging 4.3% annual growth over the 1990-95 period.

Of course, all this economic activity brings an increase in truck traffic. With more and more trucks on the road, motorists grow more and more concerned about truck safety. What action has this government taken to ensure that trucks on our highways are safe?

**Hon Norman W. Sterling (Minister of Transportation):** Our government has a proven commitment to truck safety here in Ontario.

During Transportation Week I was glad to meet with owners, operators and people who drive trucks. They have indeed helped and benefited our economic viability in Ontario to a tremendous degree.

Even though we have increased the number of trucks in Ontario because of the economic development that has taken place, our truck-related accidents have gone down by some 26% or 27% over the last decade.

We have some of the toughest rules, regulations and laws surrounding truck safety. We have some of the highest fines in North America for unsafe trucks, up to \$20,000 per offence. We've made wheel separations an absolute liable offence of up to \$50,000—no excuses; you are convicted. We have removed over 800 unsafe trucks from our roads during the past number of years.

**Mrs Munro:** Minister, Ontario is one of the leading trading jurisdictions in the world. Ontario exported over US\$130 billion worth to the United States alone in 2000. As a separate jurisdiction, Ontario would have been in third position among the top suppliers of US imports, after Japan and Mexico. During 1995 to 2000, Canadian exports to the US grew at an astonishing average rate of 11.5%. With so much interjurisdictional trade activity on our highways, it is clear that truck safety is a multi-jurisdictional problem.

I am aware of this week's truck safety blitz that is to take place across North America. What can you tell us about this partnership to increase truck safety?

**Hon Mr Sterling:** The truck safety blitz, which is an international week of concentration on truck safety, is extremely important. It's important so that we can compare our performance here in Ontario against the performance of other jurisdictions in North America.

Happily, last year when this same week took place, it was shown that, overall, our record was 4% better than all the rest combined. Four per cent may not seem like a lot to some of the opposition, but that means that in our case, our trucks are safer with regard to each and every one that is checked at the truck safety station. We, again, are involved in this particular week. We believe in working with other jurisdictions because many of the trucks that are travelling our roads come in from the United States and therefore we have to ensure that their trucks are safe as well.

We have good comparisons with other jurisdictions in North America and we're doing better than most.

### DISTRICT HEALTH COUNCIL APPOINTMENTS

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. Minister, two years ago Ottawa city council chose two councillors to sit on the Champlain District Health Council, councillors Alex Munter and Alex Cullen. You, Minister, were not happy with these choices and so you told Ottawa city council to submit different names for consideration. It's not lost on the people of Ottawa that council's choices don't fit with your own personal ideology. Having said that, the net effect over the past two years is that 700,000 residents of Ottawa, 70% of the population served by the Champlain District Health Council, have had no voice in decisions regarding local health care, because city council, to its credit, refuses to bend to your demand to put forward different candidates.

Minister, when are you going to stop playing politics with these appointments and accept the legitimately chosen representatives from Ottawa city council?

**Hon Tony Clement (Minister of Health and Long-Term Care):** This is really too rich by a half. Every other city, every other district, has a way to work with the provincial government under the rules that we set forth in consideration of them. We say to them, "Simply provide us with a list and we can make a choice based on the list." Every other jurisdiction does that; Ottawa doesn't do that. I'm sorry; Ottawa has to play by the same rules as everyone else so we can be fair to everybody. Who is playing politics? You're playing politics.

**Ms Martel:** It's clear that the only rules are your rules, because you would rather deny the residents of Ottawa two voices on the Champlain District Health Council because those two councillors don't have a membership in the Conservative Party. That's why those appointments are being held up.

Your government took control of the CCAC boards in December because you didn't like boards that might publicly criticize you for the underfunding of health care. Then, in that same bill, you also determined that the government and the government alone would determine what information would go from CCACs to the public, again to control any possible criticism.

Now you have the scenario that two Ottawa city councillors, duly chosen by Ottawa city council, cannot exercise their right to sit on the district health council because you don't like their politics. Minister, when are you going to stop playing these petty partisan games and accept the appointment of Alex Munter and Alex Cullen?

**Hon Mr Clement:** We have no problem finding excellent representatives in her region; we have no problem finding excellent representatives in Windsor; we have no problem finding excellent representatives in Toronto or in Kingston or in Hamilton or in Niagara. We have no problem finding excellent representatives in Ottawa either; I'm sure there are those that are, but they have to play by the same rules as everyone else. If you can't understand that, that explains a lot about 1990 to 1995.

#### HYDRO ONE

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Energy, and it's with respect to your predecessor's comments last week in published reports to the effect that the executive officers in the Hydro One board for some time had been uncontrollable. I think the minister said that they should fire the whole lot of them. I think the minister said the board could not be controlled, and time after time he has said he tried to control the board and he could not. I say to you, because I have to say to you, because I can't say it to this minister: he had an option, sir. He could have held that board accountable. He could have fired that board at the time. He could have taken responsibility as the sole shareholder, and he sat back. He was there at the christening of the good ship privatization as it headed off with a tidal wave of spending of taxpayer dollars. And so I say to you, the Minister

of Energy, how are you going to take responsibility for what this board has done?

1540

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I think the Premier responded to the question earlier in question period. He suggested that we received a letter, through our solicitors, from the Hydro One board, and we decided that that response, by our definition, was unacceptable. So we're going to have to take action with respect to how we're going to move forward on it, and we will take that action quickly.

I also want to enlighten the member opposite as well as the leader of the official opposition. All this information was in fact public: 1997—it was made public April 1, 1998; April 1, 1999; December 27, 2000; May 24, 2000; May 8, 2001; March 28, 2002; May 17, 2002. I might add that during the last two public disclosures, the pay packages were significantly less than they were very, very recently done. So we are taking the position that we're going to take very strong action.

To conclude, your member stood up today and said he had no idea what it was, we were keeping it a secret. All he had to do was go on the Web site, punch in www—

#### PETITIONS

**The Speaker (Hon Gary Carr):** Petitions? The member for Sudbury.

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This is the first of many, many thousands of petitions concerning Highway 69, which is worth the investment.

"To the Legislative Assembly of Ontario:

"Whereas modern highways are economic lifelines for the north; and

"Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

"Whereas the carnage on Highway 69 has been staggering; and

"Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

"Whereas immediate action is needed to prevent more needless loss of life; and

"Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on death road north will cease."

Of course I affix my signature to this petition.



## EDUCATION FUNDING

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas many high school students in Ontario, outraged at the harshness of the new curriculum, choose to leave school on May 15, 2002;

"Inadequate funding made difficult the implementation of the new curriculum;

"High school students should not be used as forced labour in addition to the extra hours required for the new curriculum;

"There is inadequate funding for the double-cohort year. Universities and colleges will have trouble providing room for all those students;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly as follows:

"We demand that a committee with government, teachers, trustees, parents and high school students establish a funding model to correct the shortcomings in the system;

"Further be it resolved that a committee with government, teachers, trustees, parents and high school students make recommendations to help those students who have had to change their career paths due to the harshness of the new system;

"Further be it resolved that students are no longer to do compulsory volunteer work;

"Further be it resolved that adequate funding be given for the double-cohort year."

That's signed by Linda Mariage, Rachael Warriner, John Pruyn and hundreds of others. I've affixed my signature as well.

## HYDRO ONE

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition here—and they're coming in by the thousands—addressed to the Ontario Legislature. It states here:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I affix my signature in full agreement with this and I will give it to Naguib to give to the Chair.

## CHILDREN'S HEALTH SERVICES

## SERVICES DE SANTÉ POUR ENFANTS

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

I am very pleased today to present to this Legislature a petition that was gathered together by the mother and grandmother of a seven-year-old beneficiary of the great work of the children's cardiac surgery unit at the Children's Hospital of Eastern Ontario. This petition, signed by over 200 of my constituents from the Arnprior area, reads, in part:

"To the Legislative Assembly of Ontario:

"Whereas the Children's Hospital of Eastern Ontario has continued to provide excellent cardiac care coverage; and

"Whereas many citizens of eastern Ontario rely on the existence of a first-class pediatric cardiac surgery unit in close proximity to where they live;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately halt the proposed closing of CHEO's pediatric cardiac surgery unit."

I'm delighted not only to present this petition but to sign it and to endorse it.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):**

J'ai une pétition signée par 80 enseignants et enseignantes à la retraite de Glengarry-Prescott-Russell qui ont à cœur la santé de nos enfants.

« À l'assemblée législative de l'Ontario :

« Attendu que le gouvernement de l'Ontario est en train de fermer le service de chirurgie cardiaque à l'intention des enfants fonctionnant actuellement à l'hôpital pour enfants de l'est de l'Ontario;

« Attendu que cet hôpital traite chaque année 140 enfants gravement malades à proximité de leur foyer;

« Attendu que la centralisation des services de chirurgie cardiaque pour les enfants à Toronto obligerait les patients et les parents à s'éloigner de 400 kilomètres à 600 kilomètres de leur foyer à un moment difficile;

« Attendu qu'une partie du personnel de ce programme à l'hôpital CHEO parle français, et que de ce fait la population francophone a accès à des conseils médicaux de qualité supérieure en français,

« Nous, soussignés, demandons à l'assemblée législative de l'Ontario d'annuler immédiatement la décision du gouvernement d'abolir ce programme, qui sauve des vies, et de veiller à ce que chaque enfant de l'est de l'Ontario continue d'avoir pleinement accès à des soins de santé de qualité supérieure. »

J'y ajoute avec fierté ma signature.

## PODIATRIC SERVICES

**Mr Mario Sergio (York West):** I have a petition addressed to the Legislative Assembly of Ontario and it's with respect to "Foot care is not a luxury.

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

"Whereas the new government policy will virtually eliminate access to publicly funded podiatry across vast regions of Ontario;

"Whereas this new government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Legislature of Ontario to demand the government move immediately to cancel the delisting of podiatric services."

I concur with the petition and I will affix my signature to it.

1550

## CHILDREN'S MENTAL HEALTH SERVICES

**Mr Michael Gravelle (Thunder Bay-Superior North):** The provision of mental health services to children in Thunder Bay is truly threatened by a lack of government funding. A major petition campaign has been launched, and I'd like to read petitions sent to me by hundreds of people.

"Whereas for the first time Lakehead Regional Family Centre has a deficit budget of \$200,000 due to the lack of adequate funding from the provincial government and the sharp increase in the demands for children's mental health services in the city of Thunder Bay; and

"Whereas referrals to Lakehead Regional Family Centre have increased 150% since 1995, and no additional permanent funding has been received to help meet the needs of our community; and

"Whereas since 1993, the government's investment in core funding for children's mental health services has declined by 8%, and salaries for staff are up to 30% lower than in hospitals and other government services; and

"Whereas according to the Canadian Journal of Psychiatry, 18% of children and youth in Ontario have a diagnosable mental health disorder, and yet Ontario only treats one in six of these children; and

"Whereas without immediate additional permanent funding, children's mental health services could be severely restricted to those children and families who need it the most,

"Therefore we, the undersigned citizens of Ontario and residents of the city of Thunder Bay, petition the Legislative Assembly of Ontario as follows:

"For the provincial government to provide an immediate infusion of additional permanent funding to the Lakehead Regional Family Centre to help fight the crisis situation facing children's mental health services in the city of Thunder Bay."

This petition is signed by hundreds of people, and I am pleased to add my name to this petition.

## CORMORANTS

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition signed by literally thousands of people from and around the Gore Bay area, Sault Ste Marie, Sudbury and various points around the province. It was put out by the Ontario Federation of Anglers and Hunters, and it reads as follows:

"Whereas the Ministry of Natural Resources is in year two of a five-year study on the impact of cormorants and possible management strategies which was to have included experimental controls beginning in 2001; and

"Whereas recently the then Minister of Natural Resources, John Snobelen, reiterated at the Ontario Federation of Anglers and Hunters' annual general meeting and wildlife conference that the MNR is committed to experimental control of cormorants at specific local sites in 2001; and

"Whereas cormorant populations in Ontario have increased to over 260,000 birds in the past several years;"—that's a lot of birds—"and

"Whereas cormorants are having obvious local effects on habitat and have demonstrated negative effects on fisheries on the New York side of Lake Ontario;

"We, the undersigned, petition the now Minister of Natural Resources immediately begin control of the cormorant population in a meaningful way where there are obvious habitat or fishery effects and to make public the experimental design and results to date."

## HYDRO ONE

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition to the Ontario Legislature.

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector



will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I have signed this petition, which comes from Ridgetown.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Conservative government plans to sell off Hydro One, which includes Ontario's electricity transmission grid;

"Whereas there's been little evidence and no public case which proves that selling the grid will benefit electricity consumers;

"Whereas the selling off of the transmission grid is one of the largest privatizations in Canadian history;

"Whereas the Conservative government never campaigned on the selling off of this public asset, and the people of Ontario have not been consulted on this plan;

"Whereas the government does not have a clear mandate from the owners of Hydro One—the people of Ontario;

"Whereas this sale is proceeding hastily and without transparency;

"Therefore be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand that the Conservative government of Ontario under Premier Ernie Eves move immediately to halt the sale of Hydro One."

I affix my signature to this petition.

## COMPETITIVE ELECTRICITY MARKET

**Mr David Christopherson (Hamilton West):** I have further petitions from my riding of Hamilton West.

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green

power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

I join with my constituents in adding my name to this petition.

## POST-SECONDARY EDUCATION STUDENT OPPORTUNITY ACT, 2002

LOI DE 2002

## OFFRANT DE NOUVELLES POSSIBILITÉS D'ÉDUCATION POSTSECONDAIRE AUX ÉTUDIANTS

Mrs Cunningham moved second reading of the following bill:

Bill 65, An Act to enact, amend or revise various Acts related to post-secondary education and opportunities / Projet de loi 65, Loi édictant, modifiant ou révisant diverses lois liées à l'éducation postsecondaire et aux possibilités en la matière.

**The Speaker (Hon Gary Carr):** Minister?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** It's my honour and my pleasure to speak today in support of the Post-secondary Education Student Opportunity Act, 2002. This act brings together a number of bills which received first reading in the previous session of the Legislature. In the interests of a full debate, we are bringing these forward as one bill which, if passed by the Legislature, would help us to increase the opportunities for post-secondary education that are available to Ontario students.

Let me be very clear: never has it been more important to give our students the supports and choices they need to receive a first-class education right here in Ontario. As the recent throne speech pointed out, our government is committed to choice and fairness in all levels of Ontario's education system. Our qualified and motivated students, regardless of their economic circumstances or their geographic location, deserve the chance as generations before them did for a brighter future. They have hopes, they have dreams and they've never been more excited about their opportunities.

Students and their parents want to know that a wide range of high-quality post-secondary educational opportunities is available here in Ontario and they are increasingly motivated, more optimistic, because these are the times that these young people intend to let us know exactly what they want. Hopefully, we can improve upon what we already have by implementing this legislation, and if it does indeed pass, it will pass in a timely fashion because we have more students entering our post-secondary system than ever before.

The legislation we are discussing today will accomplish so many of their great opportunities by bringing together four pieces of legislation. They are:

The University of Ontario Institute of Technology Act, 2002, which if passed would establish the University of

Ontario Institute of Technology. The UOIT would provide innovative and responsive training that would prepare students for a highly competitive and knowledge-based economy. Our government is working to be sure that we are ready for students to enrol in 2003, which will be another important year of increased enrolment in this great province.

1600

The second piece of this bill is the Ontario Colleges of Applied Arts and Technology Act, 2002, which would set up a separate act for the establishment and governance of colleges in order to give colleges the flexibility to meet the changing needs of students and employers and remove those powers from the Ministry of Training, Colleges and Universities Act.

The third part is the Ontario College of Art and Design Act, 2002, which would give the college the power to grant degrees and would officially change its name from the Ontario College of Art to the Ontario College of Art and Design.

I was at OCAD not too long ago, as were other colleagues across all political parties of this Legislative Assembly, to witness, I believe, the groundbreaking or the announcement of their new building, which I think will certainly change the face of Toronto and make us competitive across Canada and North America with this wonderful institution. At that time I was reminded by a parent that this legislation is forthcoming and that they would very much appreciate our passing it, because he himself had a student graduating this year who didn't have the opportunity, in fact, to receive a university degree. There are many examples of young people—because this has been on the agenda of the Ontario College of Art for a number of years, and in fact they have passed a very strenuous process in order to become qualified for the privilege of granting degrees to our students. So I'm hoping this will receive the timely attention of my colleagues.

The fourth part of this legislation is the amendments to the Ontario Educational Communications Authority Act to allow the authority—that means TVO—to give credit for distance education programs. This is necessary because the independent learning centre, which offers credit distance education courses—it's been a long-standing practice in this province to offer opportunities to our secondary school students to complete courses and to get credit, and this is now the responsibility of TVO. In order for them to have the authority to give these credits, we must bring this legislation to this assembly.

There are many people waiting for us to move forward. We have had quite a length of time because we did table this legislation for the first time in November 2001. So I have had queries and opportunities to discuss what all of this means with my colleagues, as appropriate, and it's a very important time in the history of our province to move forward.

In addition, the bill changes the name of private vocational schools to private career colleges. This is because across our country our private vocational schools in

every other province are referred to as private career colleges. So there's a sense here of consistency for our young people, and in the interest of labour mobility, both on qualifications and opportunity, I think this is a very important step to take.

Of course, Ryerson Polytechnic University has asked that they have their name changed to Ryerson University. This has been a request for some period of time, and we have decided to include it in this legislation because I believe all members of this House would want to respond to Ryerson, one of our great institutions, named after one of our great role models and mentors when it comes to education not only in Ontario but in Canada. It is one of our institutions that brings us a great deal of pride and an institution also that has conferred degrees on many of our children and many of the citizens of this great province and country.

Each of these initiatives is part of our larger plan to bring post-secondary education into the new millennium, but I would like to discuss today the particular importance of the Ontario Colleges of Applied Arts and Technology Act and the impact it will have on our network of colleges here in Ontario. I choose this because this particular piece of legislation is one that we have consulted broadly on. It has been worked on not only by our colleges but our students for more than a year and I think there has been a lot of thought given by the government in bringing forward this legislation. I will say also that we have talked to our colleagues in the colleges about regulations that would be appropriate for this legislation, if passed.

Legislation to establish a college system in Ontario was introduced in this House in 1965 by then-Education Minister Bill Davis, one of our extremely important and successful former Premiers. This was under the premiership of the Honourable John Robarts, who did in fact represent London North at the time. When I first came to this Legislative Assembly in 1988, I was probably under the encouragement of many people in London—my constituents—who had also supported Mr Robarts in this riding at a former time. So some would say these are very big shoes to fill, and I think, Mr Speaker, one always does their best to meet the demands, the expectations, of one's constituents, as you well know.

This was an entirely new type of education for our province at that time: occupation-oriented programs that would meet the training needs of the local community and prepare our students for entry into the workforce. As you know, even today almost 50% of our young people go directly to work from school. So this was an effort, and I think a great effort, on behalf of Mr Davis to meet the needs of these young people who wanted to go on to post-secondary, but more for training than for what the universities offered at that time in the arts, humanities and sciences.

In his statement to the Legislature, Mr Davis referred to the time as an age of "technological change and invention," and indeed it was. The 1960s, 1970s and 1980s revolutionized the way we communicate, saw the



introduction of breakthroughs in health care such as the heart transplant and saw space exploration come into its own.

In 1967, 19 colleges opened. That number is now 24—24 institutions currently operating in more than 200 communities, and I underline “communities.” Approximately 45,000 students graduate each year from a wide variety of programs in business, technology, the applied arts, health professions and apprenticeships, just to name a few of the opportunities that our young people have—and, I might add, people of all ages, because this province is and has always been committed to people. No matter where they live, no matter what age they are, we have promised them a post-secondary education.

I think we would all agree that the colleges have done an excellent job of providing accessible, affordable, cost-effective and high-quality—and I underline that; we’re known for this in Ontario—education for our students.

Last year, 89% of our graduates were employed within six months of graduation, and 91% of their employers were satisfied with the education graduates had received.

1610

At this time, I should say that we should be very proud of our students. I don’t think they’ve ever been more committed. They’re certainly energized. Their future is one of jobs. We have had a few generations before that didn’t get jobs upon graduation, like the 89% that I referred to. But they’ve always been very appreciative of probably one of the best investments that they and their families have ever made, and that’s the opportunity to go on to our colleges.

I will say that we should also be very grateful for and appreciative of and say thank you to our college leadership, their boards, our instructors, our staff and our community partners who provide opportunities for our young people to have training, perhaps in some instances even have jobs—I’m now talking about apprentices—at the same time that they attend our community colleges.

If the pace of technological change seemed rapid in 1965, what can we say about the rate of change in our present times? Our society is changing more quickly than anyone could ever have dreamed of in 1965. This in turn is placing significant demands on our post-secondary education and training systems. For Ontario to continue as a place to live, work and raise a family with their hopes, dreams and aspirations as former generations had, we must ensure that we have a workforce equipped with leading-edge knowledge and skills.

I think there would be no one who would disagree that here in this province the best health care policy is to have a job. If people want to work and they have a job, then our health care system perhaps would not be as strained. We owe it to our young people, we owe it to anyone who is looking for technical training and opportunity to make sure that we have leading-edge knowledge and people prepared with the skills.

This is actually quite an exciting portfolio that I have and I enjoy all of it, including this morning at Conestoga College as we made an announcement for more than

\$350,000 to go into IT and technological and skills training for women. They were a group of people who have been given a different opportunity in their lives. Many of them were single parents. They were so enthused about a whole year, or 50 weeks, of pre-apprenticeship training.

Classes before have in fact got jobs. Not only do I believe that they will be successful in completing their apprenticeships and having good-paying jobs, but I think their enthusiasm and the kind of organizational skills they seem to have in balancing their families and their work, and the friendships that they have created over that period of time as women, will keep them forever as our role models in the future.

I say that because the world of work in the trades is under-represented. Only 12% of women are in apprenticeship programs, and when they get into their jobs they will probably be very much under-represented. What we have learned is that the kind of connections one makes through school gives them the opportunities to keep in touch; Men would call it “networking,” women now call it “networking,” and I think it’s a great success story and I hope we can do much more of it.

I just thought I’d let you know that there are many people counting on government, counting on our leadership and our vision, but without their assistance, without women like these women in the UOIT program at Conestoga—that’s the program for technology—and the skilled trades program at Conestoga and others, we wouldn’t have opportunities to provide programming that we know works, and keep the kind of data where we have success stories like this, where we can improve upon it by focusing our dollars into programs that get people good-paying jobs.

I think we’ve never had a better opportunity to respond together to what our young students are demanding. They are thinkers, they have enthusiasm and commitment, and they do well. Our institutions are for them, so in fact we are listening to them. We know that they, as our clients, have probably been in the best position to give us good advice. They’re studying, they’re getting jobs, they’re paying down their student loans and they’re preparing for a future where they have huge hope.

We have enacted the Post-secondary Education Choice and Excellence Act, 2000, which enables colleges to offer applied degrees. We’ve seen the successful implementation of undergraduate collaborative nursing programs, finally colleges and universities working together in the best interests of our nurses. We’ve made significant investments aimed at strengthening the skills of our workforce through new apprenticeship initiatives to prepare our workforce for the future. We’ve invested through our colleges and pre-apprenticeship training, as well as for journey person upgrading. We are using a \$50-million apprenticeship enhancement fund to renew facilities and equip colleges to support our efforts to recruit more apprentices and to help colleges provide training that meets industry standards. These measures are an excellent start. I truly believe that in order to successfully adapt our post-secondary system to meet current

challenges, we must all work together in the best interests of Ontario students.

We have consulted extensively with our colleges and our students, and they have advised us that they need more flexibility in order to fulfill their mandate. The proposed new legislation for colleges would recognize the fact that Ontario colleges have evolved. They have evolved in response to fast-paced technological and economic change. This proposed legislation provides the base for future diversity to encourage and support the development of the college system into the 21st century.

Colleges have told us they need change to better meet the needs of students, the workforce and their communities through the delivery of applied degrees, more diversity within the system and more local autonomy. We need colleges that continue to be responsive and market-oriented. If Ontario is to maintain its competitive position in the global economy, colleges will need to respond rapidly to employers in changing economic and social conditions. The ability to adapt and evolve will be vital for future success.

This bill would remove some of the bureaucratic requirements related to the need for ministerial approvals and will provide for more local decision-making and determination. Colleges will continue to have a community focus but will have more flexibility to determine which communities they will serve, be they local, regional or provincial. In some cases, the community may even be as broad as national or international.

Colleges will be encouraged to continue to develop and respond more effectively to the needs of their students and communities. When we speak of communities today, we are speaking of geographic as well as knowledge and electronic communities. Accountability to these identified communities and to the taxpayer will be enhanced through updated accountability mechanisms which focus on achievement of outcomes and ongoing communication.

We're looking at results. Our young people know that when they take a course, first of all they want to be successful, and second, they want it to be meaningful. We are looking at results as we focus our funding in this direction.

Across the province, characteristics of the various colleges vary significantly in size, the nature of the communities they serve, the role of the college in the community, the range of programs they offer and the partnerships they have with local business, industry and other educational institutions. They vary in the way they deliver programs and courses, whether in the classroom, through apprenticeship, over the Internet, in remote communities by day, evening or weekend. We want to enable colleges to be better able to respond to the different circumstances of the communities, their student bodies and their local economies.

1620

In fact, many of our colleges work seven days a week. Students are there mornings and afternoons. I'm not aware that they're there Sunday evenings, but I will say

that our colleges are responsive. However, one size does not fit all. They are also very different in their implementation.

The new legislation will allow for this diversity and even greater diversity between and among colleges or groups of colleges. They need to be able to specialize. It's no longer sustainable for colleges to be all things to all people. Each college undoubtedly will continue to offer a core of programs to address the needs of its students and its communities. However, it is intended that increasingly colleges will build on their strengths and focus the majority of their programming in a few broad areas, eliminating unnecessary overlap and duplication.

Colleges may specialize in a number of ways, addressing the needs of particular industries or clusters of industries, regional or provincial priorities; addressing the needs of a particular segment of the population or continuing with a predominantly local focus.

We have many examples of specialization already in place. I'll say at this time that our 24 colleges are probably one of our best-kept secrets. What their young people are doing, what their instructors are doing, the dedication, the knowledge, the total commitment, is a way of life for them. There's no way that I could take the time to talk about areas of strength and specialization and success stories across the system, except to say that one of the most important evenings is the success story and the awarding of our Premier's Awards that happens once a year, where our young people have graduated and have succeeded in being nominated for the awards or in winning the awards. They come back to Ontario so that we can present them with our Premier's Awards. They are working all over the world and they are stars.

I'll say a few things here about some of the diversity, but I will also say that these are young people and mature people whom we are very proud of.

Centennial College has its expertise in transportation. Sir Sandford Fleming is renowned for its school of natural resources. The Northern Centre for Advanced Technology, NORCAT, at Cambrian College, is an excellent example of a college supporting local economic development. NORCAT is involved in developing new technological applications and prototypes for mining and related industries.

A number of our colleges are beginning to become involved in applied research in areas of unique expertise. Increased partnerships with business, industry, professional organizations and other educational institutions are another evolving feature of the college system which the proposed legislation seeks to strengthen and encourage by removing the existing requirement for ministerial approval.

I recently participated in the opening of a new hospitality and tourism centre at Canadore College, which will provide programs such as tourism, hotel, restaurant and resort management and ecotourism, and brings together the private sector, post-secondary education and government. Those students continue to have lots of expecta-



tions and lots of good advice. We meet them where we travel around the world, as my constituents and others remind us. They're good at their work, they are sought after, and we are very proud of them.

Fanshawe College delivers a new, 50-week pre-apprenticeship program for women as part of the Ontario Women's Directorate's province-wide women in skilled trades initiative. Other colleges, and even a school board, are participating in this program designed to channel women into trades careers in areas of skills shortages.

I spoke earlier about Conestoga. The program at Fanshawe relates of course to automotive, and this was a great success story of women who will have peers and friends as a result of this great opportunity and who will contribute significantly in the area of women in skilled trades.

The dental hygiene program at Fanshawe consists of a significant portion of clinical experience in which the students develop clinical skills in the dental clinic at the University of Western Ontario, and in brief community experience in the offices of local dentists.

So our colleges and our universities are sharing our students, so to speak, and our young people are the beneficiaries. We can go from dental hygiene to nursing to multimedia production and many other areas where nine of our colleges and universities actually have buildings that they are building together as part of our plan for our double cohort. These shared programs in these wonderful new buildings are just one small piece of our plan to meet the needs of these special students. We are providing our students with a wide range of choices and high-quality post-secondary education and continuing the strong occupational orientation of college programs.

As the college system evolves in its growth, Ontarians will be the beneficiaries. We will have the skilled workforce we need to be a thriving, vibrant society. With the help of our colleges, people in labour and business, I must say that this government plans to double the number of apprentices. We are smartly moving forward with the help of our college system.

They are also partners in our Ontario youth apprenticeship programs. If one were to go to Durham College, they would see the school board there partnering with Durham so that our young people can get opportunities while in secondary school to get credit toward their apprenticeship programs when they go on into our colleges and into the workforce.

It is a very modern system, and we couldn't do it without the people that are working both within my own Ministry of Training, Colleges and Universities and their partners in various programs throughout the system.

In conclusion, we as a government are committed to providing the finest possible educational opportunities to Ontarians right here in Ontario. Our government believes that education is the cornerstone of our province's growth. We want our citizens to be equipped to meet the challenges of a rapidly changing global economy, and we also want to be sure that our institutions have the ability to respond to the changing priorities of students and

employers. We cannot ask them to do this without giving them the tools that they need to make these kinds of changes. In fact, they've asked us to make changes, they've told us what we need to do and we are responding.

Right here in the Legislature we must, across all parties, show our colleges, our students, their boards of governors, their instructors, our business communities and our communities that in fact we too can respond to Ontario's changing educational needs by bringing into reality this legislation, the Post-secondary Education Student Opportunity Act, 2002.

It has been my privilege to have these few moments this afternoon to speak about many activities in our college system. As minister, I have to say that I have been absolutely overwhelmed by the vision of the leadership of our colleges, by the excitement of our students, and with the assistance, I think, of my colleagues in this Legislative Assembly, we can look forward to their ongoing growth, to the statement they're making to many other parts of North America and the world, and to supporting these young people, whose visions and dreams have never been more alive. If you meet them, and when we see them, we know we don't have to worry about our future.

1630

**The Deputy Speaker (Mr David Christopherson):** Members now have up to two minutes for questions and comments.

**Mr James J. Bradley (St Catharines):** I'll take up at the end of the minister's comments about the students' aspirations and hopes, and say that so many of them are being dashed now with the situation confronting them with the double cohort; that is, students coming from what we would call both grade 13 and grade 12 into the system of colleges and universities in this province. There simply will not be a sufficient number of positions open for these children, who of course are no longer children by that time but young women and men who want an opportunity to go to university or college in this province.

Without a doubt, no matter whom you talk to, except the government, they will tell you this is a real problem. I hope the colleagues of the minister would be kind enough to be supportive of any initiatives she might have to try to increase spaces in universities and colleges in this province.

A second problem they'll confront in terms of their hopes will be the cost of education today and the amount of debt they have to accumulate as a result of that. It's not only the tuition fees; it's ancillary fees as well, other user fees, if you will, that colleges and universities are applying to students today.

In addition to that, they're facing a circumstance where in effect there's no rent control left in this province. When premises are vacated a landlord has the right to raise the rent. As you would recognize, Mr Speaker, being from a university city, as I am, students tend to be mobile. They may go home for the summer months and therefore try to get new accommodations.

So the costs are great, the operating costs for both universities and colleges are tremendous and the pressures are there. To this point in time, the government has not provided sufficient investment in post-secondary education to make those hopes and aspirations come true.

**Mr Gilles Bisson (Timmins-James Bay):** Just on the surface, I want to talk about the Durham College part of this bill, because I think most members of this House agree on the direction we want to take with that.

I remember that bill being called for second and third reading by way of trying to get unanimous consent on, I think, the last day the House sat in December. At that time, our caucus took the position that we would not accept doing that type of thing: basically, 10 seconds—wham, bam, thank you, ma'am—and the bill is passed without debate.

We as New Democrats, as members of this party, think it's important that bills do have the time to come to the House so people can have proper debate, (1) so that the minister, the critics and other members who are interested are able to come in and voice the views and opinions they've heard on behalf of the constituents they represent, and (2) to give a proper opportunity to take a look at a bill so we know what's in it, what we can do to strengthen it and what we can do to make it work for the people it's intended for.

Far too often what ends up happening is that people try to get bills through the House by way of time allocation motions, which have become a habit around here, or people ask for unanimous consent without debate, and then we find out that the bill doesn't work. For example, we've now had the bill that did the restructuring of municipalities come back to this Legislature for, I believe, seven amendments because the government didn't take the time to have proper debate.

So we say congratulations to the minister for bringing the bill to the House so we can debate this, so people can hear what this bill is all about, (1) so we can represent the views of the constituents, the people we're voted in to represent, not only in our constituencies, but within the greater constituency of the critic areas we represent, and (2) so we have the ability to table amendments that may be necessary to strengthen the bill.

I'm sure our education critic will have more to say about that when he's here in the next hour.

**Mr Frank Klees (Oak Ridges):** I want to take this opportunity to thank the minister for bringing this bill forward. She certainly has done a great deal to advance the quality and the work of colleges and universities in our province since she has had this portfolio. Once again, this bill will do precisely that: ensure that more and more young people in our province have access, have the availability of a solid educational background.

The minister made reference to the 24 colleges in our province that are delivering exceptional service in this province, not only to students who live here in Ontario but also to students who come from other parts of the world to take advantage of the quality of education we have here.

I had the privilege of attending the graduation of Canada Christian College on Saturday evening, and it was a pleasure to see, first of all, the student body that was there and the degrees that were being handed out, earned through very high academic standards, and particularly a college like this that I know will be sending students out to various areas around the world to carry on in their profession in various aspects of their calling in life. They will be able to point to Canada Christian College, a college that was grounded and founded here in Ontario. I know they are very grateful to this government for establishing the framework within which they can deliver their services.

I commend the minister on bringing this legislation forward.

**Mr Dave Levac (Brant):** I'd like to thank the Minister of Training, Colleges and Universities for painting a compelling picture of support yet invoking the name of Ryerson. In this bill we change the name to Ryerson University, and she says it is a proud moment for him. I beg to differ in terms of the overall picture of what's happened in education. Just ask the trustees in the school boards about what his vision was for governance of education in Ontario. I'm sure that he wouldn't be exactly jumping up and down praising the government for its actions in the school board situation.

Nonetheless, I will say that she has some good components to this bill, something of a mini-omnibus bill that includes several factors. I do have some concerns about one of them, and maybe a couple of questions. But the one I want to ask the minister about is if she is aware of the work of the Brant skills development group in my riding that is doing a grassroots operation about skills development and skills training in our community, with partnerships across the broad spectrum.

Why I bring that up is because they're very, very disappointed in the \$400 application fee that the people have to raise on their own to pay for classroom work. It's not a one-time \$400; it's each classroom activity—first, second, third, fourth levels—up to \$1,600 that the apprentices have to come up with in their classroom time. That's an extra—maybe call it a tax or a user fee. Unfortunately, they are not happy with this and they have invited the minister to come and talk to them about it. I would encourage her to take that opportunity to get a hold of this group. They are doing some modelling, by the way, Minister, that you would be very proud of and I'm sure you would like to have some of that material to use.

My colleague from Hamilton Mountain will be speaking. Her work and mine in committee pointed out a few problems with the private colleges that I think she should pay attention to as well. They were falling like flies and there are a lot of people out of work.

**The Deputy Speaker:** The Minister of Training, Colleges and Universities has up to two minutes to respond.

**Hon Mrs Cunningham:** In response to the member from St Catharines, who mentioned a concern about spaces, tuition and accommodation, we have a plan. We



have planned for the number of students, 78,000 new spaces. We have 25 new college buildings, 25 new university buildings, nine in addition that are shared, the operating dollars we have promised in the throne speech that every new student who is qualified will in fact be funded. It's certainly not something the opposition wants to believe, but the funding will be there. I've said it before, so now he hears me.

On the accommodation side, I'm interested in this. You know, there was a time when he went to university when he had to live in somebody's house. Nowadays the universities and colleges are choosing to build their own buildings.

*Interjection.*

1640

**Hon Mrs Cunningham:** To the member who is screaming at me, he doesn't know the rules. The public does not pay for the accommodation for our students. In fact, operating dollars is exactly what we're talking about—that's for spaces. They're getting \$6,800, since you were mentioning, for the universities. This is exactly for students.

*Interjection.*

**Hon Mrs Cunningham:** In his ignorance of how universities work and his lack of attentiveness around asking me to help him understand, he continues to shout.

I want to end by saying we do have a plan. We've put the operating dollars in spaces. We've put \$1.8 billion for capital. We've put money into research and development, unprecedented. We have put money into student assistance.

We have a plan, and it would be very helpful if members of the opposition would get into their communities, be part of the ambassador program and help the young people learn the answers to the real questions, and that is, there is hope and opportunity for them as in the past.

**The Deputy Speaker:** It is now time for the leadoff speech for the official opposition. The Chair recognizes the member for Hamilton-Mountain.

**Mrs Marie Bountrogianni (Hamilton Mountain):** It's a privilege to speak on any post-secondary issue, because the one thing we can agree on in this House is the importance of post-secondary education. Another thing that we seem to agree on in this House is what a fine job our post-secondary institutions are doing, at times under very challenging conditions.

I'd like to talk first about the process with which this bill is being presented and then talk about the bill itself and respond to the honourable minister's statements. We didn't sit for five months. For five months we didn't sit in this Legislature and didn't have the opportunity to debate any bills, never mind this bill. And then last Thursday we got an omnibus bill which is basically five bills—six pieces of legislation being amended, but five bills—and were asked to pass it with second and third readings last Thursday, which I think is an insult to the democratic process, to introduce a bill of such magnitude and then to ask for second and third readings on the same day. Now, the following legislative day, the Monday

after that Thursday, we're asked to do second reading and debate on an extensive bill.

So I'd like to comment on the process of that. We don't like omnibus bills. It puts us in a difficult position. There are good things in this bill, a lot of good things, but there are things we have concerns about on which full debate would have enlightened not only the Legislature but the public, and therefore we could make more intelligent voting decisions in this Legislature. We don't have the opportunity to do that. The government has a majority and we respect that, but they're trying to push through this bill and who knows how many others in the near future in a very quick fashion.

Education is dear to all our hearts, because we know that our children and our youth will not have a bright and a healthy future without appropriate education and training. I've had the privilege of teaching in many of our fine institutions before being elected. I'm from Hamilton. I had the privilege of teaching at McMaster. I lived in Toronto for many years and I taught at Ryerson before it became a university, as well as Seneca College of Applied Arts and Technology.

I'm amazed at the diversity of our institutions, at the fact that they try to meet the needs of their local communities, as well as the province, as well as the world. We are well known in the world for the quality of our institutions. One of the main reasons we're known for that is that they're public. That has changed under this government. It hasn't actually changed yet, but by law it has changed, and we're waiting with concern for when the first private universities come to Ontario. We voted against that bill and we have concerns.

Again, we weren't against part of that bill, the applied degrees in the colleges, but we were forced to vote against the part we supported because the major part of the bill introduced private universities, which we had a great deal of difficulty with. My friend from Brant and I, whose ridings are very close, and the students in our two ridings—well, actually in all those ridings—share a lot of the negative experiences with the private colleges that folded. They're businesses, and if business doesn't go well, you fold. The best interests of the student are not first at heart. So we do have concerns about the part of this bill that wants to upgrade the name of these colleges to "career colleges." Right now they're called private vocational schools. Three of them closed in one year alone in my riding.

I'm sorry, Speaker. I failed to mention that I'll be splitting my time with the members from Sarnia-Lambton, St Catharines and Prince Edward-Hastings. I apologize.

**Hon John R. Baird (Associate Minister of Francophone Affairs):** Oh, so now you're going to keep them around here.

**Mrs Bountrogianni:** I'm sorry, Mr Whip, but our job is to stay around here.

*Interjection.*

**Mrs Bountrogianni:** I'm talking about the government whip, John. settle down.

We're very concerned about that part of the bill that upgrades private vocational colleges to career colleges. It may sound like a small detail but it's not. It is confusing. Right now, when students go on to Web sites or talk to their guidance counsellors, there's a clear distinction between our high-quality community colleges that are publicly funded, publicly run and directly run by the province and the government and those that are businesses. Some of them are good businesses and some of them have good programs, but a lot of them don't.

**Mr John Hastings (Etobicoke North):** Let's attack all of them.

**Mrs Bountrogianni:** I'm not attacking all of them, Mr Hastings. It seems I've hit a bone across the way, even though I'm being extremely balanced in my debate.

There are some very good vocational schools, but there are some that are basically businesses. Three of them closed in my riding alone, leaving the students without a diploma, with \$10,000 to \$20,000 of student debt and without any way of paying that debt, because of course they don't have a diploma to get the appropriate job. So we have concerns about that part of the bill.

The other thing I'm concerned about is how much time we'll have for debating this bill in committee. There are a lot of stakeholder groups that want to comment on this bill, and I'll be talking on their behalf as well today. I'm wondering, is it one day, two days, three days? Is it half a day? We don't have that much time left before the end of the Legislature, and I'd like to know that.

Overall, the college charter is a positive document, and I agree that on this one piece of legislation, of all the pieces of legislation here, the government did consult with the stakeholder groups. They did consult with students and they did consult with the colleges. Although the colleges and students had a few concerns, overall they supported the college charter, and therefore of course we supported the college charter, because the stakeholder groups did too: the students did, the families did and so did the institutions.

There is a concern about the charter, though, on the part of the colleges that has to be brought here. They are concerned that section 8 of the charter may make community colleges third-tier educational institutes. They are concerned about that and they would like the minister to respond.

We support the Ontario College of Art and Design being given the authority to grant bachelor's and master's degrees. In fact, my colleague Monte Kwinter is a big proponent of that college. There are amazingly talented students who graduate from there and are well known internationally.

Although we'd like to know more details, we are supportive of distance education, and that is through the part of this bill that amends the Ontario Educational Communications Authority Act—TVOntario—to recognize the new role of the Centre for Excellence in Lifelong Learning. This will enable TVO to fully operate distance education programs and give credits through this TV programming. We think, in principle, that that's a posi-

tive thing. With the busy lives, the just-in-time lives that our families live today, it's often not possible to actually go to an institution to get a degree or a diploma. So we believe this is a positive start. We want to know more details, though. We have some concerns about possible conflict of interest with the Premier on this part. He did promise he would step outside of any discussions that had to do with TVO, and I'm sure he will honour that promise.

**The Deputy Speaker:** Order. We've got at least three different conversations going on on the floor in addition to the member for Hamilton Mountain. Could you please take those outside the chamber? Sorry for the interruption.

**Mrs Bountrogianni:** That used to bother me in my first year here, but I'm sort of used to it now; it just happens. But thank you.

**Mr Rick Bartolucci (Sudbury):** You guys from Hamilton have to stick up for each other.

**Mrs Bountrogianni:** Yes. Thanks, Hamilton Speaker.

The bill we had concern with, that we wanted to know more about, was the bill on Durham College turning into a university. Again, in principle, it's good to have an institution to deal with the demographics and it's good to be creative when you're developing these new institutions, but there are some concerns we have and that the colleges and universities are having out there. As I said on Thursday, they may be reluctant to openly talk about them with government members because they don't want to suffer the same sort of retribution that the hospitals suffered under this government in having their budgets affected by their criticism.

**1650**

I will give you their concerns. First of all, there was a 15% cut to colleges and universities in 1995, as soon as this government took office. Their opinion was that they needed those cuts to balance the budget. That was their opinion. We can argue whether that opinion was right or wrong. We feel on this side of the House it was wrong, but the fact that there was a 15% cut is a fact. We had almost half a billion dollars cut in 1995.

The colleges and universities are telling us that they have a lot of unfunded students—in other words, students whom the colleges and universities accepted, knowing that they wouldn't get per capita funding for. At McMaster alone—and the Speaker would be interested to know because McMaster is in his riding—we have \$5 million a year of unfunded students. In other words, McMaster absorbs the cost of educating these students. Ryerson has even more than that per capita, and Nipissing as well has more. I think those are the top three that have difficulty with unfunded students, although all of the institutions have these unfunded students.

We have students who aren't funded; we have this huge cut of 15% in 1995 that the colleges and universities have still not recovered from; we have a double cohort looming—

**Mr Bradley:** Shell-shocked.



**Mrs Bountrogianni:** Shell-shocked, yes. And we have a double cohort looming on us where we still don't know exactly how much money the government will give.

Some colleges and universities have said to us, "It's already late," because they need money to plan, and yet this government still hasn't told them exactly how much money. In fact, the government hasn't told them yet how much money they'll be getting in September for the 2002-03 students.

Under all this insecurity, \$60 million is going toward Durham College, so what we have is suffering to open a new institution. I'll get into more aspects of our concerns about that institution, but that is the major difficulty here: starving the public system and opening another institution in Durham, in a riding in which I think perhaps there could have been a little political opportunism for some of the hopefuls in the Tory leadership race.

The double cohort comes in 2003, but even this fall, 2002, we have a 20% increase in applicants because they want to beat the double cohort. The universities and colleges still don't know—this is a fact, this isn't rhetoric—how much they're getting in September. If in fact 20% of the applicants do end up staying in Ontario, that is an increase. They would have to hire more professors. You have to give a lot more money so that there aren't more unfunded students.

I don't know why you're shaking your head, member. That is a fact. That's planning, and they need to know how much money they're making.

**Interjection:** Sore neck.

**Mrs Bountrogianni:** Sore neck, OK.

I guess what we're saying is, if you haven't planned for 2002, where there is only a 20% increase, significant as that is, what about 2003, where there is up to—we accept the fact that the numbers are not certain, but a recent study from People for Education found that up to 20,000 students may be left out. So if we don't even know what will happen in three months, how can we have confidence that you will take care of the biggest demographic surge since the end of World War II? We're very concerned about that.

We don't have any difficulty with Ryerson dropping "Polytechnic" from its name. In fact, in a sense, that has happened in reality. This is just a housekeeping item. As I said, we agree in principle on TVO offering distance education and credits. We agree, for the most part, on the college charter because it has been widely consulted.

We have concerns over private vocational schools being named "private career colleges" because of the default of the loans that the students have there. Their business is basically that they close up when they're not doing well. There's no responsibility toward a student of these places. That is also married to the fact that we're opening private universities now. We're very concerned about that.

The part of this bill that concerns us the most—process-wise, if nothing else—is the University of Ontario Institute of Technology Act. That is what we have the

most concerns about. Other stakeholder groups that have not been consulted also have concerns—the faculty association, for example. I'm going to go over some of their concerns, just in case we don't have a lot of time for debate in committee on this. Maybe we won't have committee debate on this; I don't know. Who knows, with this government?

The number one concern of OCUFA is the government's intent to push through this legislation without public consultation and debate. They have that concern as well.

Also, "OCUFA believes it is ill-advised to establish a new institution until the appropriate resources are provided to existing universities in the province." We would agree. It is unfair to set up and give \$60 million to a new institution when the existing ones are having a great deal of difficulty competing.

"OCUFA believes that the resources directed to creating a new institution could be spent more efficiently and effectively by expanding the capacity of an existing university. Events in British Columbia are instructive" of this. "The Technical University of British Columbia, established under the previous NDP government, proved to be a very costly and controversial endeavour." Like the university about to open in Durham, "it too was intended to offer university courses focusing on technology and applied sciences. Escalating costs led the new ... government ... to eliminate the independent status of TechBC and fold it into Simon Fraser University. TechBC is now a campus of Simon Fraser." If nothing else, we should maybe study what happened in British Columbia, which is a very similar situation to here.

In the first reading of this bill, I asked the minister if the quality assessment advisory board would be looking at the content of the programming before this university opens. I don't think there's time for that now. They've already hired people—six deans, I believe. There's up to \$800,000 already committed in salaries for the first year for these people. The Web site is up. A new person was just hired this week. Maybe at the end the minister can advise me. I don't know if the quality assessment advisory board actually had time to assess the programming of this place. OCUFA believes and we believe that it makes sense to do that before an institute opens, not after it opens.

According to OCUFA, the faculty association of Ontario, "This is especially troubling given the inadequacies of UOIT's mission, objectives and governance structure. As indicated by" the act, it "is not a university but an applied degree-granting polytechnic college with a highly circumscribed mandate, flawed governance structure and no guarantee of academic freedom and tenure." These are some of the concerns.

The government is not establishing a university in the commonly understood sense of the term, but rather a polytechnical institute, a hybrid college. Some of these applied degree programs will probably be offered in the future at other Ontario colleges of applied arts and technology. It's closer to an applied degree-granting

college than a university. The council of universities also had a concern with the title "university," Ontario "university" of technology. Perhaps if this does go to committee and gets debate, we can make an amendment to change the title of this institution.

York University also has some concerns over this institution. They too share the concern about the name. They also believe that an "economic/demographic analysis under which a new university in this part of the province is justified" should be questioned, "especially since the planning section of the Ontario government announced only two weeks ago that all the growth is in the northwest of the GTA, the Niagara Peninsula and around Hamilton-Guelph-Waterloo." That is where the growth is. York questions, and we agree, the decision of where this institution is being placed.

"The estimated operating costs of this new institution"—they've already been awarded \$60 million. When Ryerson became a university, it was a very expensive endeavour. Again, at a time when we're cutting back on other institutions, why fund this one so richly?

Also, "an explanation of why private sector 'partners' will support this institution if they are not now supporting other college and university programs with proven track records in the same fields"—the government often talks about SuperBuild, but I know that the institutions are having difficulty coming up with the matching funds they promise. Again, I think it's a good question for the minister: what are you and this government going to do if in fact the colleges and universities don't come up with the matched funding they promised, which was a requirement for the SuperBuild funding to build all these wonderful buildings the minister is talking about?

1700

Buildings are great and we need them, but what we need even more are people to teach the students in those buildings, and that is where we come back to operating grants. With the 15% cut and with the lack of any kind of information for this fall as well as the fall of 2003, we don't know. We already have the highest student-to-professor ratio in the country. Part of that is because provincially we're funded last in the country and second to last on the continent. Comparing with the United States has its difficulties, because it's a different culture down there, but even if we just compare with the other provinces, the province funds us last, and that's part of the problem.

The Ontario Undergraduate Student Alliance is also concerned that they weren't consulted about this new institute. Their concern is that university education should be, yes, about gaining skills for employment, but should never be just about gaining skills for employment. The community college system in Ontario has created the infrastructure for the employment sector. They believe the universities should be that and more and they're concerned about the narrow focus of this institute.

They are also concerned about the governance structure, that it will not have both a senate and a board of governors or trustees the way our public universities do

have now. This doesn't guarantee whether there will be students on the board of governors. Right now, as we all know, there are students as part of the governance. They don't have a lot of voting power on any board or on the senate, but they are there. The senate members know they are there, the professors know they are there and the administration knows they are there, and if there's a difficulty the students speak up.

Another of the concerns that I brought out last Thursday over this bill is that a couple of other institutions have complained that this institution jumped the queue. Again we're talking about process. Queens has a bachelor of tech education already. Half of their applicants were turned down for the fall session because of funding, and we really need tech education teachers. There are 174 unqualified people teaching tech education right now across the province. So Queen's has that concern.

Trent University in Peterborough has asked the question, "Why did they get this all of a sudden, all this money and this program, when we have been asking for this program for years?" There's another institution that feels they haven't been consulted or listened to.

There is, although it's still early, I know, the question of quality. At least one employee in a very high position left another public university to work there and lasted five weeks. He says he couldn't look at himself in the mirror because of the lack of quality and the kinds of decisions that were made. I don't know the details, and we definitely will keep an eye on the situation, but that's indicative of the hurriedness of this process.

We have an omnibus bill after five months of not sitting. We're expected very quickly now to pass legislation. We may agree with the majority of it but we want to know more about one large piece of it. We feel that the process has been hurried and that consultation has not been done appropriately. The major criticism we have is that a new institute is being opened at the expense of the existing institutions. We have universities and colleges across this province that are complaining about the lack of funding and are wondering and hoping and praying that in the next budget they will be able to service their students in the fall, especially in the fall of 2003. Instead, this government gives \$60 million to a new institution.

This morning we had a point of privilege that the Speaker voted down on how this was done, that even though the bill wasn't passed, professors are being hired; deans are being hired. I don't know; maybe a building is being built that we don't know about. We are concerned about that process. I don't have the experience to know how much that is done in politics, but it seems to me that a bill should be passed first before people are hired at the institution that the bill endorses.

Like our stakeholders, we are waiting with bated breath for the budget for September. If you are going to open this new institution, (1) make sure it's a quality institution; (2) ensure that the existing institutions have enough funding so they can compete fairly with this new institution. Have the quality assurance board very quick-



ly, before it opens, assess every single aspect of the program. The quality assurance board is an infrastructure that this government brought in for the private universities, for the applied degrees, and it should apply to this new institution.

We're not against new ideas and we're not against creative ideas, as long as they are ideas of quality. We have concerns about this particular institution at this point in time taking money away from other institutions and about the quality of this institution at this point in time. We hope, for the students' sake, in that region and across the province, that these issues are addressed.

We are for the majority of this bill. We wish we had sat earlier so that we could discuss it and have more days of debate. I would like to know by the end of this debate how many days of debate the minister is planning on this bill so that we can have at least a couple of days of debate from the stakeholders' groups.

I would end by saying I'd like to take this opportunity to implore the government, to beg the government, to look at more funding for the universities for 2002 and 2003.

I'd like to also ask the government not to entertain, as you did entertain, a deregulation of fees at universities the way you did entertain the possible deregulation of undergraduate degrees at Queen's University. The majority of our students across this province are in undergraduate arts and sciences programs. Tuition is already high enough. It has increased by 60% under your mandate; we don't want it to increase any more. There are many students—and three studies have shown this—from poor families who cannot afford to go to university or college any more because of the increase in tuition.

Because of the underfunding, Queen's wanted to deregulate the fees and you were entertaining that thought. In the end you said, "Not at this time." We appreciate that, but we would like you to say, "Never." At least arts and sciences degrees, undergraduate degrees should not be deregulated. That is the one hope for students who cannot afford the \$10,000- to \$15,000-a-year tuitions, and more, that medical schools, law schools and business schools charge.

So please, take your time with this legislation. It's massive. We agree with most of it but we have concerns with some of it. Go to the public with it and debate. Please let us know today if that will occur and for how much time, if possible, that will occur. Fund, very quickly, the universities and colleges for 2002. We have many more applicants than expected. Fund the double cohort appropriately, because we're not talking simply about putting money into education, as important as that is; we're talking about investing in our future, we're talking about job creation, we're talking about the health of our citizens in the future. Research study after research study shows that the more educated you are, the healthier you are. With increased poverty comes increased health costs, increased crime costs. It's an investment.

We are supposed to be the economic engine of the country. It's an embarrassment that we are funded,

provincially, last in post-secondary education in the country. We should be funded first. We should be first in the country in post-secondary education. We should be leaders, the way we once were leaders in post-secondary education in the country. We should give our students the brightest futures. They deserve it. And these are the students—

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** And not the leftovers.

**Mrs Bountrogianni:** That's right. My colleague Leona Dombrowsky says, "Not the leftovers." We should not force students to leave the province to get an education. They always have that choice, and for those who have that choice financially, wonderful; it's a great experience to travel. But for those who don't have the choice, it is our ethical duty to ensure that they have a quality education right here in Ontario and that universities and colleges should be funded because of the programming they deliver, not because of political opportunism during leadership debates. I implore the government to do the right thing, to cut the \$2.2-billion corporate tax cut and put part of that money into post-secondary education for the sake of our children and our youth and for ourselves in the future.

**1710**

**Mr Ernie Parsons (Prince Edward-Hastings):** I am pleased to join the debate on this bill, though it is always difficult to follow the member for Hamilton Mountain. She covered virtually every point on this bill, and in an excellent manner.

I'm going to focus on the community college, kind of the orphan or forgotten part of the post-secondary system but extremely valuable to this province, not just to the students who attend the college but to the province itself.

It's interesting, as we've seen the decrease in funding to community colleges in order to fund the corporate tax cuts, we're also hearing from the corporations that they want highly skilled, educated students, and we're failing to provide that for them.

I know from the community college system—having been a teacher at one for 25 years—at my community college, during the life of this government the funding dropped from \$5,000 per student per year to \$3,000. The rationale is always, "Well, there's some fat in the system." There was nowhere near 40% fat in the system. I'm not even sure there was any. I watched in the years prior to that as class sizes increased and user fees were starting to rise, but this was a massive slam to the college system. They were able to do it because they fund them, because they are servants of this government. The government has abused the power they've had over the community colleges and they fund them at a lower rate.

Now here's an even crazier way that they fund them. The colleges are facing increased enrolment, particularly with this double cohort situation that's approaching. The colleges have the students come and they register them. They have to staff in order to teach the students who are there, but they get paid for the number of students who were there two years earlier, which invariably is a

smaller amount because the enrolment is increasing. So they are in the position of having more students than they are receiving funding for each and every year, and then this government has had the audacity to reduce the total global dollars coming to the colleges for it. So they have had to manage this slip funding; they've had to manage this underfunding. How they manage it, I believe, is not in the best interests of this province.

First of all, before I get to that, I should mention that the minister even recognized that funding was an issue and asked the college presidents to put together a recommendation on what the funding level should be. The college presidents collectively said, "We should be funded at a level not the highest in Canada; we should be funded at the Canadian average"—just at the Canadian average, so that Ontario would fall right in the middle. That was rejected. So while we've seen other provinces and US states increase the funding, this government has reduced the funding to the young people who will serve to attract industry to this province, who will serve to make industry successful, and when industry is successful and these individuals are successful the province will be successful. If they talk about the trickle-down effect, as has been popular but not proven in Great Britain and the US—we're still following it because we've got to make our own mistakes—in theory, making all of these young people successful at a college should make the province successful. But we're not putting money into them. We're saying to the colleges, "You've got to do more with less." Well, I can assure you they're doing less with less.

One of the victims in this has been a reduction in the number of program hours. Each student who comes into a college program doesn't have a sense of what was taught or how many hours were spent in the previous year, so they have no sense of the effect of cutting a 28-hour-a-week program to a 22-hour-a-week program. The reduction—and that's a typical reduction—is catastrophic on the amount of material that can be covered. It's easy to hear the rationale, "Well, they've got computers now and there's computer-assisted learning so they don't need as many hours in the classroom." I would assure you it's just the opposite. We're doubling the knowledge in this world in less than every 10 years. They need more time and more information rather than less. They need access to these computers and they need access to the hours to cover what industry is covering as they move forward so rapidly. But, no, we're seeing a reduced number of hours and our students leaving not as well-equipped to make our province successful.

These graduates will compete but they're not competing with graduates from the next community college or the next province; they're competing with graduates from all over the world. When industry decides, "Do we locate in Japan? Do we locate in Mexico? Do we locate in Ontario?" our graduates have to compete on a worldwide basis and they're not able to do that with the program hours cut.

The colleges are being put in a position of having to cut full-time staff and replace them with part-time. In

many of the colleges they've reduced the full-time staff by almost 50%. That means that a significant number of the programs are being covered by part-time. It used to perplex me as to why the government would want this to happen, but then I realized over the last five-month break that this government wants part-time legislators, so why shouldn't they want part-time college teachers? At least they're being consistent—consistently wrong, but consistent.

The difficulty with part-time faculty is that no matter how great they are, and there are many great ones, they come into a college and teach their hours, but in order to make a living they have to go and work in other places at other times. There is a value in having a part-time professor come in from industry, but there is an optimum mix. Because of the larger classes, we're seeing students who sometimes need to talk alone to the professor, and that's not possible when you have a part-time individual.

We've seen them put forward proposals for funding capital works that rely on matching funding from the local community college. That is very, very difficult for small colleges in rural areas. It's not a level playing field. A college that's located in an area that has a strong industrial base is going to be far more successful in its fundraising. Should the quality of education for that student depend on local fundraising ability? No. We need to have an equal level of education all the way across the province, and they've been shortchanged on that, greatly shortchanged.

The province also came out with a wonderful system called key performance indicators, which measure employment and the attrition rate. It sounds reasonable: "We will reward colleges that do well versus colleges that don't do well." But when we look at the final numbers, the colleges are all clustered very, very closely together at the top. The message I get is that these key performance indicators are a kind of exercise or make-work or busywork for someone. All the colleges are working because the faculty and the administration are making them work; it's not with help from the government. They're spending time filling out these forms when the government doesn't want to acknowledge what a great system they have.

We hear the statement made that every qualified student will have access to the program. I beg to have a definition of the word "qualified." Does that mean every student who has an Ontario secondary school diploma will be admitted to a college? Absolutely not.

Right now we can play with the word "qualified." What that means is that colleges and universities will be able to set a bar. Some years universities will say, "For everyone going into engineering, we draw the line at 86%. Anyone below 86% is not qualified to get into our program." Colleges are going to be put in that same position. Where they have more students than they can accommodate in a program, they're going to draw the line at where they have the resources for building, which the province is giving them money for, or at operating, which the province is not. We've heard promises of



operating funds for some time, but to parents out there and to students who are graduating it's important that you differentiate: there is not a commitment that every student will have a seat in a college program; it is every qualified student, and the word "qualified" is open to a great deal of variation.

This bill also includes provisions to transfer some of the distance education to TVOntario—not a bad idea. But you need to recognize that quality distance education costs money; it's not just enough to move it over. The curriculum to be delivered on a distance education basis requires an altogether different format and altogether different preparation than the curriculum that's delivered in a classroom. You can't simply take a classroom curriculum and use it the next day on TV.

There needs to be a recognition that if you want to make distance education work—and you should make it work—you need to fund it at a level that not only can you do adequate curriculum development, but you also provide support to the students. Ultimately they need a mechanism to ask someone a question. There's nothing more frustrating than being on your own and puzzling over something for a day or a week, when access to someone related to that program could answer the question and allow them to move on. So please do more than just a name change. Please fund it so you can make it work. For much of Ontario that doesn't have access to a college or university, or for individuals who work certain hours, this is great.

They're going to change the name from private vocational schools to private vocational colleges. Now, we need to think about that, because right now in order to be a school, you have to fill out a form where the most difficult question is the address. "College" has a certain significance that the rest of the world puts some faith in. In my community, we have some excellent private schools that I could see being named colleges and would have no difficulty with it. But I'm also aware that there are other operations that open up which are intended, perhaps, to bring students in from outside of this country. They have no standards to meet. There is no curriculum to meet.

1720

I urge the government to reconsider this part of it. Although I'm going to support the bill, I urge them to reconsider the part about the private colleges. If they're going to be called colleges, there needs to be a standard established. There needs to be a curriculum that is approved. There needs to be a minimum standard, so the public can tell the difference between the various institutions and know that if they're going to take their life savings or borrow money, they're not going to be faced with a school that goes bankrupt or that doesn't deliver the curriculum.

So I urge the government to establish minimum curriculum and operating standards if they are going to change this name. Certainly, the sound is there that the government is going to do something, but I urge them to put their money where their mouth is.

Quality education is expensive. Ignorance is cheap. We want quality education in this province. This bill doesn't do anything to actually deliver a better product to the student.

**Mr Bradley:** Here we are in the middle of a debate affecting colleges and universities in the province. As I indicated in my two-minute response to the minister, the telephone calls I'm getting, the letters I'm getting, the discussions I'm having, are with a variety of people who are concerned about both access to education and quality of education; access in terms of parents, the general families of the students and, I think, some who work at the colleges and universities themselves, who recognize it's increasingly difficult for students, financially speaking, to gain access to our colleges and universities.

Certainly, with the forthcoming double cohort, when the students from grades 12 and 13 arrive at the same time at the colleges and universities, we recognize that there will be a—I think "crisis" would be a word that we could use quite accurately. Certainly, that's the forecast. Despite the government's assurances there's going to be money forthcoming to address that problem, I can't find anybody in the college or university sector who believes that to be the case, though they are hopeful. The minister certainly believes that to be the case. I simply can't find those individuals. The minister will have to help me out in that regard.

We recognize the circumstances facing those students. Tuition has gone up dramatically over the past few years. This is an imposition on students. It makes it more difficult.

At one time, there used to be a lot of summer jobs that were quite lucrative for students. I think in my own community the paper mills, General Motors, TRW and Hayes-Dana, which are all major industries, used to employ a lot of students in the summer. Far fewer of those students have access to those jobs now. As a result, they're unable to obtain the funds they need and therefore, they have to borrow those funds or work during the school year, perhaps to the detriment of the studies they're undertaking on a full-time basis.

So there is a problem out there with accessibility. In terms of graduate studies, it's increasingly becoming evident that the richest kids, the most privileged kids, in the province have the best chance at those positions. I've talked to students from the University of Western Ontario who say they have noted a different demographic of those who are in medical school now, that more and more, it seems to be young men and women from very wealthy families and not too many from the smaller communities. That's a result of the cost of tuition going up dramatically for those courses. There are others now thinking out loud about deregulating tuition for undergraduate courses.

There is a concern that we'll go back to the days of years and years ago, before we tried to make post-secondary education easily accessible to people, where only the wealthiest or the extremely bright people who could get scholarships were those who could access post-secondary education.

As my colleagues have mentioned in their earlier speeches in the House, this is an imposition not only on those students and their families, but also it's not good for our province because we want our province to be competitive in a competitive world.

My friend Gerry Phillips, the member for Scarborough-Agincourt, who is our finance critic, has said on many occasions that when he looks around at how other adjacent jurisdictions advertise to get businesses to go to their states or to get investment in their states, they will tell you what a fine education system they have: how much they've invested in it, how many graduates they will have, the quality of those graduates. We in Ontario simply wave a stick of the lowest tax rate. We like to talk about the lowest tax rate. That's only one of the factors that they look at. I would think I would make a good judgment when I say there are a lot of other factors that make a jurisdiction more attractive for investment than simply lowballing everybody else, because you're never going to get below Alabama and Mississippi and those states that do not provide many services to their citizens but are havens for people who want to come in and have the very lowest taxes. So it's an investment we're talking about.

The minister makes reference to some capital investment. There has been some, but a lot of it now is based on private-public partnerships. I notice circumstances where more and more the people who are going to be invited on to the board of governors of any post-secondary educational institution are going to be those who have access to private funding or the connections to be able to obtain private funding. While it is nice to see, from time to time, the private sector making its investment in post-secondary education, because it benefits immensely from the students who come out of community colleges and universities, it is nevertheless troubling when we see a diminishing of the amount of investment that is forthcoming from the government of Ontario.

Some interesting statistics emerge. One is that when adjusted for inflation, the government operating grants per university have decreased by 29% over the past decade and the government operating grants per college have decreased by some 40%. Since 1992-93, all 50 American states and eight of the nine other provinces have made a larger increase in post-secondary investment than Ontario has. State support for post-secondary education in the United States has increased by an average of 24% while it decreased 17% in Ontario.

Student debt load has risen from an average upon graduation of \$9,000 to over \$25,000. So those students immediately face a major financial impact. Tuition fees for regulated undergraduate university programs have increased by 62% since the Harris government came into power. That is a tremendous increase and very onerous on the students and their parents.

This government has cut funding to universities and colleges by \$400 million in 1995. By 2003-04 university enrolment is projected to be 16% higher than in 1995, yet

funding will have increased only some 7%. Funding per student, therefore, will be down 8%. If inflation is factored in, funding per student will have fallen 23% by 2003-04. The government's own report, *Portals and Pathways*, identified deferred maintenance costs of \$900 million at universities, \$300 million at colleges and the post-secondary sector needs an investment of some \$800 million in capital funding to keep the buildings from falling apart.

I guess the point is that I think there are a lot of people in this province now who see post-secondary education as an investment in our future, not simply some frivolous expenditure that governments get into. There is a payback. If people are only interested in a financial payback, there's a payback because the better educated and better trained the people are, the better jobs they're going to get, and probably because their income is higher, their taxes might be higher, though with the way this government is going, that isn't necessarily the case in our province.

Even though there are some aspects of this bill that are certainly supportable, there are a couple of hostages in there that make us uncomfortable in supporting the legislation, though in total, if we look at the bill, I think we would find that it is supportable.

#### 1730

But I make this plea to the government on behalf of the students of this province and their families: that they make a significant investment in post-secondary education; that they stop this spiral of increasing tuition fees; that they re-impose rent control in this province so that students are not faced with spiralling increases in terms of private accommodation out there.

I would like to take into account that in a few years there are going to be a lot of professors retiring, and to compete with other jurisdictions for the best professionals to come into our universities and community colleges is going to require significant investment. All this is worth a lot more than an additional \$2.2-billion gift to corporations in this province in terms of tax cuts, another \$500 million in assistance for private school tuitions and another \$945 million in income tax cuts. If you ask the people of this province, they will say, "Invest in our future, invest in post-secondary education," and that's the plea I make to this government today.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I didn't realize that the member from St Catharines was going to be so timely, so succinct, so brief. Anyway, I do rise to speak to this bill. It's important that we as a Legislature—I think I'm out of breath; maybe I'm just not as fit as I used to be in my younger years.

First of all, Bill 65 is an omnibus bill. As we have heard in the Legislature today, it is dealing with approximately five different acts. Omnibus bills are interesting creatures in that they insert a multitude of acts, some of which are excellent and some of which you have no opportunity to question because the acts may not be as valid as the other ones.

The word "omnibus," in case anybody is interested, comes from the Dickens era when there existed a bus—



literally a physical bus—and on that bus you would have various cargo. It would transport humans, it would transport livestock and various cargo. It was called an omnibus because it was a catch-all and it didn't just transport people. Thus of course we've got the words "omnibus bill."

This bill, as we know—I'll just read it through, but we've heard it many times in here—deals with the University of Ontario Institute of Technology Act, 2002; schedule B deals with the Ontario Colleges of Applied Arts and Technology Act, 2002; schedule C deals with the Ontario College of Art and Design; schedule D, amendments to the Ontario Educational Communications Authority Act; and schedule E deals with amendments to the Ryerson Polytechnic University Act, 1977, the Private Vocational Schools Act and related consequential amendments.

My colleague from Hamilton Mountain is very knowledgeable about the details of those acts and she spoke very effectively on the specifics of those sections.

I want to speak to what the minister talked about this morning. She was talking about the knowledge-based society and the need to develop a more creative and probably a stronger, I believe she said, post-secondary system. I must speak to this, because a knowledge-based society requires that education at all levels is supportive of the other. We have to have a very good foundation in elementary years, a very good foundation in secondary, and then of course we move on to post-secondary. It's extremely important that the government look at these things holistically and not just in what is going to appease, if you want, what I sometimes call very strong lobby groups to make some changes intermittently. I believe there have been a number of other institutions that have suggested we are spending money now without sustaining and putting money into the current institutions that are there at the post-secondary level.

I had the opportunity to speak with our Lambton College president, the new president there, Tony Hanlon. We have a small college; it isn't a large college. He talked to me about the fact that funding in these small colleges is at the 1989-90 level, which is amazing. He felt almost as if education was certainly not a cornerstone of the Conservative government agenda. As you have seen here, the funding the colleges have received has deteriorated, until we are now 59th out of 60 jurisdictions. That is a shame, because we are the most prosperous province in Canada.

I want to ask again for support, and I want to convey this message to the Conservative government about Ontario community colleges. Sarnia-Lambton has a community college, we don't have a university, and our college is fundamental to our economic base there. It works with industry and it's fundamental to the well-being of our community and yet it has a decline in funding—a huge issue.

How do we sustain and how can we talk about the well-being of a knowledge-based society or the development of a knowledge-based society when we see that, in

every single sector, all we've had is seven years of sustained cuts and instability?

One of the things Tony Hanlon told me was, "I believe there's been deferred maintenance on many of these institutions"—huge, huge numbers, and it's over \$1 billion of deferred maintenance. All they can do is their emergency repairs. What happens is that if you don't maintain your buildings, if you don't maintain what you have, pretty soon you will have buildings that are going to require major renovations. We all know that. You have to fix your windows. You have to sometimes replace the floors. You have to paint. They've been deferred and deferred until some of these buildings don't look like the first-class buildings they should be.

One of the other issues that I was told in our discussion—and again this is reality. We can sit here and we can be pro and against things, but these are the realities that the colleges that are delivering the services are facing. My colleague speaks better to the details of universities and to the details of the act, but I would like to say that the government has failed the youth of this province. If you take a look at our education system, going right from elementary all the way to post-secondary, the question has to be asked, are we in a better position today than we were seven years ago? That's the question that's fundamental, those seven years whereby in this unprecedented economic growth—we talk about tax cuts but we have had unprecedented economic growth and yet our educational institutions are the ones that have felt the impact of ruthless cuts over and over again.

I know this bill is going to be hotly debated in this Legislature. I'm hoping there will be a chance to have public hearings so that all of the issues can come out, considering it's an omnibus bill. I know that in the days to come we will hear much more about the pros and cons facing us, but education has to be a priority and I'm afraid the actions of this government show that it hasn't been a priority over the past seven years.

1740

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr. Michael Prue (Beaches-East York):** I listened quite carefully both in person and on the television to the comments that were made and I find myself very much in agreement with much, of what was said. Particularly, I would like to focus on the remarks of the member for Hamilton Mountain. She spoke first and longest and I think most eloquently on this. She talked about our pride in post-secondary institutions, and I think there can be no doubt in this province that we have great pride, and should have great pride, in the post-secondary institutions that have been developed not just by this government but by all governments, going back right to the time of Egerton Ryerson. She spoke quite eloquently about how the people who have gone to school in Ontario have benefited from a plan that is generations old.

She also spoke about the need for continuing debate and the need for this to go to committee. I think her

points were well taken, because there are many stakeholders here who need to be heard in order to make the bill even better than, with respect, it already is. She talked about non-consultation that has taken place and about the \$60 million going to a new institution. Certainly we need to expand our post-secondary institutions all the time. As the population gets bigger, as we become more and more technological as a society, we will need new institutions, there can be no doubt. But we also have to be careful that we do not underfund the old ones at the same time. I believe the point was very well made.

She talked about the difficulties in British Columbia of establishing a new institute for technology and it has now been folded into Simon Fraser. That was very good. In the past, many universities, including the University of Toronto, York University and Carleton, have established satellite campuses and it's something that we should look at too.

Finally, she talked about the deregulation of degrees, and we need to make sure that the degrees that are earned in the province of Ontario are of the highest calibre and are world-recognized.

**Mr Hastings:** I am happy to respond to some of the comments made, some of the more disturbing comments made, particularly by the member for Hamilton Mountain. What I am referencing there is that there seems to be a branding or putting all together of some of the colleges in the private vocational sector that did foul up in terms of their financing, but "Let's sort of use a broad-brush approach and apply that whole thing to the good colleges."

It's interesting to hear a silence from members opposite as to how they see the role of the private education provider helping in the so-called double cohort. We don't hear anything in that regard—zero. I want to put on the record that over the years I have had an excellent working relationship with one private vocational school, and that is the Regal Constellation College of Hospitality, which has provided hundreds of jobs to the hospitality industry in this province and internationally.

But it would appear that the member for Hamilton Mountain and some of the other critics across the way would sort of lump that college in with all the rest. I think it's absolutely shameful to say they haven't served a useful role.

Ontario is not the only province in Canada where the term "career college" is not used, except for PEI, which has no private colleges. In my estimation, we need to set the record straight that the private vocational sector has served a useful, beneficial role for many students in this province, across Canada and internationally. I hope the member sets the record straight on that when she makes her concluding comments.

**Mr Pat Hoy (Chatham-Kent Essex):** I am pleased to rise and make comments on the lead off by my colleague from Hamilton Mountain, as well as on the remarks by the members for Prince Edward-Hastings, St Catharines and Sarnia-Lambton. They did an excellent job with an overview of this bill. Some five bills are contained in this

one, and I think they've put some very excellent remarks on the table.

In the agricultural community, and in other communities as well, we recognize that if you don't keep up the maintenance of your house, you're likely going to be in a position where you will spend more in the long run. If you don't keep up the roof on your home, you're going to spend more in the long run. It just makes common sense; it makes perfect sense.

But we understand from our critic that the government is deferring \$1 billion worth of maintenance. This is not the way one would operate their home or their car or any other item they might have. It's foolish, and I think we're going to be paying dearly for that.

I've had the opportunity to talk to many young students who are in anywhere from grade 11 to grade 13 currently, who are asking me this question: who is going to be allowed to go to college or university, and should they be in one grade or the other? One has an average of 79% but has gone to school much longer than the other student, who has an average of 78%. But they will both be entering university or college at the same time. They look worried when they ask me this question. They're very concerned about it, and in some cases they have almost a defeated attitude about it, because they don't know what the government's stand will be. They're competing within their own grade and against another grade. They want to go to university, and they'd like that clarified. They're bewildered, they're frightened and some lack the will to try.

**Mr Bisson:** Mr Speaker, as you know, our critic Mr Marchese will be up speaking on this particular bill in a few minutes, and I know he has a number of points of view that he wants to bring to this legislation. But I want to remind the government and the Liberal opposition that this bill was brought to the House in December. At that time, the government and the Liberal opposition wanted to have the Durham College bill passed without any debate, passed by unanimous consent and just thrown through the House in a matter of seconds.

We New Democrats said at the time, "No, that's not the way the legislation should be dealt with. There are a number of issues that need to be dealt with by way of debate." I am pleased to see today that the government and the Liberal opposition are debating this bill. They have spoken to Durham College, and I congratulate them for that.

I also hear calls to allow this bill to get to committee so we can allow people to come forward who have some issues they want to raise around those particular issues. I heard one member—I'm not sure if it was the member for Hamilton Mountain or the member for Sarnia-Lambton—say that one of the issues is, how can we justify spending \$60 million on a college, which we all support, and at the end of the day we will vote for it, but at the same time we are not putting dollars forward to existing universities that are out there?

In my constituency, l'Université de Hearst, with three campuses, is operating, I believe, on a budget of \$3 mil-



lion and could certainly use some extra dollars to provide much-needed programs and relief to that university. They're doing a really good job with not a heck of a lot of money and could do a lot more if we were to give them some support. From the perspective of that university, they're saying, "Listen, it's great that you want to do something for Durham College, but what about doing something for us?"

I look forward to this bill getting to committee so that those people involved in that sector can come before us and hopefully convince the government, if we're going to have largesse by way of its supporting Durham College, which is a good thing and we will support it, that we do the same thing financially for other colleges and universities that are out there.

1750

**The Deputy Speaker:** Any one of the original speakers now has up to two minutes to respond. The Chair recognizes the member for Hamilton Mountain.

**Mrs Bountrogianni:** I'd like to respond first to the member for Etobicoke North, who maybe not purposely but very definitely misinterpreted what I said. I gave a very balanced response to the private colleges. There are some good ones out there, we know that, but there are many that aren't, that close up their businesses. As soon as they stop making money, they close up. Three closed in my riding alone, leaving students with student debt and without a diploma to get a job to pay that student debt. So I'd just like it on the record, although anyone who for whatever reason would read Hansard would see that is what I originally said.

I'd also like to thank the member for Timmins-James Bay and agree with his comments. He may know, being from the north, that the then Minister of Northern Development had actually asked the college presidents to develop a proposal along with the city in order to increase economic development in the north. Then they had another meeting, the college presidents came, and the minister said, "It's not what I wanted," and stormed out. He insulted them; he rejected a proposal that he himself had asked for. As well, Mr Bisson may also know that of all the applied degrees granted by this government to colleges, not one was granted in the north. So we feel that you've written off the north in more ways than one, particularly in post-secondary education, and on this side of the House we're disgusted with that. Thank you for reminding me, because I omitted that in my debate earlier.

**Mr Bartolucci:** The Liberals are—

**Mrs Bountrogianni:** The Liberals are definitely in support of the north.

In summary, then, we would like to have debate on this. I'm looking forward to hearing from the minister how many days of debate we will have on this so we can in a very democratic fashion examine the bill, listen to stakeholders and make amendments to this bill.

**The Deputy Speaker:** It is now time for the leadoff speech for the third party. The Chair recognizes the member for Trinity-Spadina.

**Mr Rosario Marchese (Trinity-Spadina):** Thank you very much, Speaker.

**Mrs Margaret Marland (Mississauga South):** Could we have dinner first?

**Mr Marchese:** Dinner comes after. First the speech and then the dinner. But we've only got a couple of minutes. You can wait another five minutes for dinner, for sure.

I want to take up where the member for Hamilton Mountain left off with respect to the issue of discussion, hearings. Last December, to remind you of what my friend from Timmins-James Bay said, New Democrats said that we can't simply pass bills on the basis that the government introduces them and New Democrats should be saying yes because they're simply good and we should move on. It's just not right to do that. It would be a profound mistake to do that. In fact, mistakes have been made in the past where bills have been introduced and voted on in short order and we move on, and of course corrections have to be made soon after bills have been presented because mistakes are made and can be made.

**Mr Bisson:** Like the Planning Act.

**Mr Marchese:** The Planning Act: one bill after the other. There were seven bills introduced in the space of—what?—six months, seven months, eight months. Seven or eight bills—talk about government incompetence in terms of what it does and what it doesn't do and how better to do it—in the space of six or eight months. This is the government that's supposed to be better at governing than presumably the rest of us on this side. The public says, "Oh, Tories know how to govern. They know how to manage." Seven or eight different bills on the issue of—

**Mr Bisson:** It was the Municipal Planning Act.

**Mr Marchese:** The Municipal Planning Act, taxation and all those other issues. Is that good planning? No. They made mistake after mistake and they had to come back over and over again to fix previous mistakes. This from a government and for a public that believe they know what they're doing. So how could you expect, public or even Tory members, that we New Democrats would simply say, "OK. You want the bill passed, someone you're supporting out there wants this bill passed. We'll simply close our doors, shut our books and close our minds, presumably, and everything will be OK." We can't do it. We need debate in this place.

We also need, for constituents who have concerns about the bills that are before us, to debate and to have the opportunity to raise concerns that they might have, or even, for that matter, to come in front of a committee and say, "We agree with what the government has done." This permits government and opposition members to hear the pros and the cons of a particular bill. It even permits the government to make amendments from time to time. It doesn't happen very often, but it does allow for the government to learn to listen, to learn and then to possibly say, "Yes, maybe we can make some amendments, because it'll make the bill better." That's the purpose of bringing a bill in front of this place to first

reading, second reading debate, taking it out to committee and bringing it back for final debate. Once you've done that, then you can proclaim it; rightfully or wrongfully, then you can do that. But that's what this place is all about.

We refused to give unanimous consent last December, and we took a lot of flak; we did. From the Ontario College of Teachers, from the folks who are supporting the University of Ontario Institute of Technology in Durham, we got a lot of flak. We got whacked by friends and foes in the Durham area. In fact, we had New Democratic friends who came and said, "You've got to help us. You've got to pass this bill." We said, "We can't do it." To those New Democratic types out there in Durham who said, "We need this bill," the government said, "You've got to go to the NDP. They're holding this up." And they did, they came and they called. And, yes, we could have bent to the will—

**Mr Bradley:** Ed Broadbent was on the phone to me.

**Mr Marchese:** Not that particular Broadbent.

And, yes, they wanted us of course to bend to the will of those individuals who came, because they were New Democrats, and while we respected them for supporting this bill and we respected their views, we hoped that they would respect ours, that we have a job to do. Our job was to present an alternative point of view; our job was to be critical of the government in terms of what it does, what it does badly, and we need an opportunity to debate in this place.

The public needs to know that universities and colleges in this province are last in terms of funding in North America. We're not even just talking about here in

Canada; we're talking last in North America. It's a big country. Canada is a big country. North America is even bigger than this little province, and we're at the bottom of the heap when it comes to funding.

You see, if we said yes to these bills that come before us, we wouldn't be able to say it. We wouldn't be able to say that a province as rich as Ontario is at the bottom of the heap when it comes to funding.

**Mr Wayne Wettlaufer (Kitchener Centre):** Yes, but we're number one in debt, and you did that.

**Mr Marchese:** You are number one in having increased debt in a good economy. That's what you're number one at. In a good economy, you have increased debt. Money is coming in and the debt is going up. This is the good management of Tories in power. I ask Ontarians, is this the kind of governance you're looking for? Increase the debt, decrease the services; that's the kind of government we're getting from these Tories. Without debate, we couldn't make these points. Without debate, some of you would believe that this government is doing OK and that they know how to do things.

Speaker, you will alert me when the time is running out, because it's hard to see the clock. Just a couple of—

*Interjection.*

**Mr Marchese:** I'm ready to sit down, if you are.

I want to say to the public that we will continue this debate, and I will have approximately 53 minutes tomorrow around 3:30, more or less. Please tune in.

**The Deputy Speaker:** It now being 6 of the clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*









**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	Chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Deputy Premier and Minister of Education / adjoint parlementaire à la vice-première ministre et ministre de l'Éducation
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Agriculture and Food / adjoint parlementaire à la ministre de l'Agriculture et de l'Alimentation
Bartolucci, Rick (L)	Sudbury	Deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	Parliamentary assistant to the Minister of Finance / adjoint parlementaire à la ministre des Finances
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	Deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
<b>Christopherson, David (ND)</b>	Hamilton West / -Ouest	Deputy Speaker / Vice-Président
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Finance / adjoint parlementaire à la ministre des Finances
Churley, Marilyn (ND)	Toronto-Danforth	
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Labour / ministre du Travail
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
<b>DeFaria, Hon / L'hon Carl (PC)</b>	Mississauga East / -Est	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
Di Cocco, Caroline (L)	Sarnia-Lambton	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	Opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	Parliamentary assistant to the Premier and Minister of Intergovernmental Affairs / adjoint parlementaire au premier ministre et ministre des Affaires intergouvernementales
<b>Ecker, Hon / L'hon Janet (PC)</b>	Pickering-Ajax-Uxbridge	Minister of Finance / ministre des Finances
<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
<b>Eves, Hon / L'hon Ernie (PC)</b>	Dufferin-Peel-Wellington-Grey	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Enterprise, Opportunity and Innovation / adjoint parlementaire au ministre de l'Entreprise, des Débouchés et de l'Innovation
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	Parliamentary assistant to the Minister of Environment and Energy and government House leader / adjoint parlementaire au ministre de l'Environnement et de l'Énergie et leader parlementaire du gouvernement
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Premier and Minister of Intergovernmental Affairs / adjoint parlementaire au premier ministre et ministre des Affaires intergouvernementales
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Minister of Community, Family and Children's Services / adjoint parlementaire à la ministre des Services à la collectivité, à la famille et à l'enfance
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques
<b>Hodgson, Hon / L'hon Chris (PC)</b>	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim (PC)</b>	Erie-Lincoln	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
<b>Jackson, Hon / L'hon Cameron (PC)</b>	Burlington	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
<b>Johns, Hon / L'hon Helen (PC)</b>	Huron-Bruce	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
<b>Johnson, Bert (PC)</b>	Perth-Middlesex	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Attorney General and Minister responsible for Native Affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
McDonald, Al (PC)	Nipissing	
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
<b>Molinari, Hon / L'hon Tina R.</b> (PC)	Thornhill	Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Chair of the Management Board of Cabinet and Minister of Culture / adjointe parlementaire au président du Conseil de gestion du gouvernement et ministre de la Culture
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Environment and Energy and government House leader / adjoint parlementaire au ministre de l'Environnement et de l'Énergie et leader parlementaire du gouvernement
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities and Minister responsible for Women's Issues / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités et ministre déléguée à la Condition féminine
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Ouellette, Hon / L'hon Jerry J.</b> (PC)	Oshawa	Minister of Natural Resources / ministre des Richesses naturelles
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Prue, Michael (ND)	Beaches-East York	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Ruprecht, Tony (L)	Davenport	
Sampson, Rob (PC)	Mississauga Centre / -Centre	
Sergio, Mario (L)	York West / -Ouest	Deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, John (PC)	Mississauga West / -Ouest	
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
<b>Sterling, Hon / L'hon Norman W.</b> (PC)	Lanark-Carleton	Minister of Transportation / ministre des Transports
Stewart, R. Gary (PC)	Peterborough	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Stockwell, Hon / L'hon Chris (PC)</b>	Etobicoke Centre / -Centre	Minister of Environment and Energy, government House leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
<b>Turnbull, Hon / L'hon David (PC)</b>	Don Valley West / -Ouest	Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Public Safety and Security / adjoint parlementaire au ministre de la Sécurité et de la Sécurité publique
<b>Young, Hon / L'hon David (PC)</b>	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones



**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉES PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

**General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Marilyn Churley, Mike Colle,  
Garfield Dunlop, Steve Gilchrist,  
Dave Levac, Al McDonald, Norm Miller  
Clerk / Greffière: Anne Stokes

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Caroline Di Cocco, Jean-Marc Lalonde,  
Margaret Marland, Julia Munro, Marilyn Mushinski,  
Michael Prue, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

# CONTENTS

Monday 3 June 2002

## MEMBERS' STATEMENTS

<b>Highway 69</b>	
Mr Bartolucci .....	541
<b>Agriculture round table</b>	
Mr Galt .....	541
<b>Laurier Brantford</b>	
Mr Levac .....	541
<b>Education</b>	
Mr Prue .....	542
<b>James Morden School</b>	
Mr Maves .....	542
<b>School closures</b>	
Ms Di Cocco .....	542
<b>Terry Ryan</b>	
Mr O'Toole .....	542
<b>Highway 77</b>	
Mr Crozier .....	543
<b>Filming in Millbrook</b>	
Mr Stewart .....	543

## MOTIONS

<b>House sittings</b>	
Mr Baird .....	543
Agreed to .....	544

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Senior citizens</b>	
Mr DeFaria .....	544
Mr Brown .....	545
Ms Martel .....	546

## ORAL QUESTIONS

<b>Education funding</b>	
Mr McGuinty .....	549
Mr Eves .....	549
Mrs Witmer .....	550, 554
Mr Marchese .....	554
<b>Hydro One</b>	
Mr McGuinty .....	550
Mr Eves .....	550, 551, 552
Mr Hampton .....	551
Mr Bryant .....	558
Mr Stockwell .....	558
<b>Home care</b>	
Mr McGuinty .....	552
Mr Clement .....	552
<b>French-language services</b>	
Mr Galt .....	552
Mr Baird .....	553

## Conflict of interest

Mr Phillips .....	553
Mr Eves .....	553

## Peterborough Regional Health Centre

Mr Stewart .....	553
Mr Clement .....	554

## Cancer treatment

Mrs Papatello .....	554
Mr Clement .....	555

## Arts and cultural funding

Ms Mushinski .....	555
Mr Tsubouchi .....	555

## Pollution control

Mr Bradley .....	556
Mr Stockwell .....	556

## Trucking safety

Mrs Munro .....	557
Mr Sterling .....	557

## District health council appointments

Ms Martel .....	557
Mr Clement .....	558

## PETITIONS

<b>Highway 69</b>	
Mr Bartolucci .....	558
<b>Education funding</b>	
Mr Kormos .....	559
<b>Hydro One</b>	
Mr Curling .....	559
Mr Hoy .....	560
Ms Di Cocco .....	561
<b>Children's health services</b>	
Mr Conway .....	559
<b>Podiatric services</b>	
Mr Sergio .....	560
<b>Children's mental health services</b>	
Mr Gravelle .....	560
<b>Cormorants</b>	
Mr Bisson .....	560
<b>Competitive electricity market</b>	
Mr Christopherson .....	561

## SECOND READINGS

<b>Post-secondary Education</b>	
<b>Student Opportunity Act, 2002,</b>	
Bill 65, <i>Mrs Cunningham</i>	
Mrs Cunningham .....	561, 567
Mr Bradley .....	565, 573
Mr Bisson .....	566, 576
Mr Klees .....	566
Mr Levac .....	566
Mrs Bountrogianni .....	567, 577

Mr Parsons .....	571
Ms Di Cocco .....	574
Mr Prue .....	575
Mr Hastings .....	576
Mr Hoy .....	576
Mr Marchese .....	577
Debate deemed adjourned .....	578

## OTHER BUSINESS

<b>Board of Internal Economy</b>	
The Speaker .....	543
<b>Visitors</b>	
Mr O'Toole .....	544
Mr Martiniuk .....	544
<b>Walkerton inquiry report</b>	
Mr Bisson .....	547
Mr Baird .....	547
Mr Stockwell .....	547
<b>Consideration of Bill 65</b>	
Mr Duncan .....	547, 549
Mr Kormos .....	548, 549
Mr Stockwell .....	548
The Speaker .....	549

## TABLE DES MATIÈRES

Lundi 3 juin 2002

## PÉTITIONS

<b>Services de santé pour enfants</b>	
M. Lalonde .....	559

## DEUXIÈME LECTURE

<b>Loi de 2002 offrant de nouvelles</b>	
<b>possibilités d'éducation</b>	
<b>postsecondaire aux étudiants,</b>	
projet de loi 65, <i>M<sup>me</sup> Cunningham</i>	
Débat présumé ajourné .....	578

## AUTRES TRAVAUX

<b>Rapport de l'enquête sur Walkerton</b>	
M. Bisson .....	547
M. Baird .....	547
M. Stockwell .....	547





No. 13B

N° 13B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 3 June 2002**

**Lundi 3 juin 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 juin 2002

*The House met at 1845.*

### ORDERS OF THE DAY

#### BUILDING CODE STATUTE LAW AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CODE DU BÂTIMENT

Second reading of Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement/ Projet de loi 124, Loi de 2001 modifiant des lois en ce qui concerne le code du bâtiment.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I will be sharing my time with the member for Thornhill, the member for Oak Ridges and the member for Etobicoke-Lakeshore.

It is my great pleasure to rise today to speak to an important piece of legislation that would bring long-needed reform to the building regulatory system.

An Act to improve public safety and to increase efficiency in building code enforcement, if passed by this House, would represent the most encompassing building regulatory reforms in the past 30 years, reforms that would clear the path for a new, more efficient and cost-effective way of doing business.

The proposed legislation is based on the recommendations of the Building Regulatory Reform Advisory Group, the acronym BRRAG. As honourable members may know, this advisory panel, which represented a broad spectrum of representatives from the building industry, regulatory officials and consumers, made a sweeping set of recommendations in its report entitled *Knowledge, Accountability and Streamlining: Cornerstones for a New Building Regulatory System in Ontario*. That report lays the foundation for today's proposed new legislation.

Following the release of the BRRAG report, we continued discussions with stakeholders, and in numerous consultations we heard that the current system for getting building permits and inspections was too slow, that it adds unnecessary costs and that it doesn't fairly allocate liability. We agree with those concerns, and the input from all the stakeholder groups in the building industry has been invaluable in the development of this proposed legislation.

At the core of this legislation are three basic principles: public safety, streamlining and accountability. This legislation proposes fundamental changes intended to increase public safety by enhancing the building code knowledge of building practitioners, streamlining the building regulatory system by cutting red tape in the building inspection and approvals process, and making key players more accountable for the work they do, which could result in the fair allocation of liability.

This proposed legislation would allow building officials to make better decisions faster. And our proposed building regulatory reform would strengthen the government's Smart Growth agenda. Streamlining the building regulatory system would help ensure that growth could occur quickly and cost-effectively in appropriate areas.

Ensuring public safety is the key objective of the proposed legislation, achieved in part by increasing the knowledge of building practitioners. The legislation would require that building designers, local building officials and inspectors working for registered code agencies meet qualifications set by the province. These individuals would have to pass assessments related to code knowledge.

This improved building code competency would lead to building plans that comply with safety standards set out in the code. It is most critical for designers and building inspectors to have knowledge of the Ontario building code to ensure that all drawings and specifications comply with the technical requirements of the building code. Improving code knowledge of designs, for example, would mean that designers get it right the first time.

Qualifications would be set out in the building code but would include requiring that design firms, municipal building departments and registered code agencies have staff who have passed tests about their understanding of the building code.

This legislation would set new minimum service standards, including mandatory qualifications for inspectors. It would also clarify the roles and responsibilities of the different building practitioners, and municipal building inspectors would be covered by a new code of conduct that recognizes the significant role and authority that they hold in the approval process.

Municipalities would develop their own codes of conduct governing the enforcement practices of the chief building officials and building inspectors that promote appropriate standards of honesty and integrity among building officials. The province would set standards for

registered code agencies which would be given all the powers required to carry out their responsibilities, including the power to inspect, issue orders and to stop work if necessary to protect public safety. These standards would require that they have the necessary code knowledge.

**1850**

In addition, there would be strong conflict-of-interest requirements to ensure the integrity of these agencies.

In addition, new province-wide standards for inspection would mean that there would be more consistency when checking construction to ensure that the projects are completed according to the approved plans in the code.

If passed, municipalities would have several options—this is important—to meet the new minimum service standards. One option could be to rely on their own staff; another option could be providing joint service delivery with other municipalities; another option would be to contract key enforcement functions to the registered code agencies. These decisions are up to each individual municipality to best meet their needs in their local circumstance, but they have to meet the timelines set out in the regulations.

Finally, designers, registered code agencies and builders would be required to carry insurance, making them more accountable for the work they do. The new insurance requirements would provide an additional incentive to avoid defects. The builders to be covered by mandatory insurance requirements would be set out in the building code, but are expected to apply to general contractors responsible for work requiring a permit on non-residential projects with a value of \$50,000 or more. New home builders already provide financial protection to home buyers through the Ontario New Home Warranty Program and would not be required to have insurance under the Building Code Act.

The province intends that insurance cover major structural defects for a seven-year period following the completion of construction. This is the same period that currently applies to new residential construction under the Ontario New Home Warranty Program.

Streamlining is another key component of this proposed legislation. The legislation would reform the building regulatory system by reducing approval times and increasing certainty and predictability for builders and owners. The measures include establishing a standard building permit application; setting time frames for building permit decisions; allowing municipalities to reduce duplicated reviews of similar building plans; limiting building permit fees to the reasonable costs of enforcement; allowing municipalities to outsource plan reviews and construction inspections to registered code agencies; providing a speedier appeal process for site plan issues to the Ontario Municipal Board; requiring that inspections take place within specified time frames—10 days for houses and 20 days for complex buildings; and giving the Minister of Municipal Affairs and Housing the power to issue province-wide interpretations of the building code and to approve alternative designs, systems and ma-

terials, provided that the same level of performance is maintained.

This legislation would promote more fairness and certainty in Ontario's building permit system. For example, time frames for a municipality to determine whether a building permit should be issued would be set out in the building code. In the case of a house, for example, the time frame is 10 days.

The legislation would also prevent municipalities from charging building permit fees that exceed the cost of providing code enforcement services. This reflects recent court rulings that have stated that fees should be based on the cost of delivering services and ensures accountability and fairness.

Should the legislation be passed by this Legislature, it should be fully implemented within two years. This would provide time to finalize the details of training and insurance requirements—so it actually would be 18 months from proclamation—that would apply to building practitioners. It would also take time to develop the regulations required to implement streamlining—for example, a common building permit application form and time frames for plan review.

We would continue to consult with the building industry and stakeholders on these implementation details. I'd like to assure the honourable members that the new code enforcement procedures and practices would place an emphasis on requiring that all parts of the building code, including fire safety, structural sufficiency and barrier-free design, are accounted for during plan reviews and inspections. The qualifications of the people who design buildings and enforce the building code would require that they be knowledgeable in all these areas as well.

In addition to today's proposed legislation, my ministry has undertaken consultations that will focus on priorities for improving barrier-free design requirements in buildings in Ontario. Details of that consultation will be announced shortly. The results of this consultation will be part of the development of new standards for inclusion in the next edition of the building code, which will have an objective-based format.

Building regulatory reform legislation would result in new enforcement processes in the Building Code Act and the building code that would help ensure compliance with these new standards and their underlying objectives, including accessibility, that apply when buildings are constructed or renovated.

I believe it is important that we work with our partners in the building industry in consultations like this to ensure that we continue to improve accessibility throughout Ontario in new buildings. It is vital that we remove as many of the existing barriers to accessibility as possible and ensure no new barriers are raised. I look forward to hearing from builders, designers and stakeholders in the disability community on how we can improve accessibility and opportunity for all Ontarians.

With this legislation we have an opportunity to improve the building regulatory system in Ontario in ways



that make practical sense. This legislation would improve the qualifications of those involved in the building sector, improve turnaround times for building permits, and make fees for permits reflect the true municipal costs. This would provide transparency in showing how building permit fees are used. But above all, this legislation would contribute to our ongoing effort to ensure public safety in all construction throughout Ontario.

I urge honourable members to join me in supporting this important legislation.

Just to recap, I can assure you that we've consulted broadly on this legislation. Municipalities are presently doing many of the things that are envisioned in this legislation if it's passed, and all stakeholders have been part of the process to lead to this day.

I'd encourage members to support this. I think it will make for a better future in Ontario.

**Mr Morley Kells (Etobicoke-Lakeshore):** I'm pleased to join the minister and have this opportunity to speak on second reading of An Act to improve public safety and to increase efficiency in building code enforcement.

In recent years, building code users, property owners, builders, contractors, designers and building officials have all called for reforms. The foundation of this proposed legislation is based on recommendations that the minister received from the Building Regulatory Reform Advisory Group, known as BRRAG. This advisory panel represented a broad spectrum of builders, designers, regulatory officials and consumers. Throughout the summer of 2001, discussions were held with stakeholders on how best to implement changes to the Building Code Act that are workable and effective. In essence, this proposed legislation would allow building officials to make better decisions faster.

If passed, this legislation represents the most comprehensive and wide-ranging changes to the province's building code enforcement in 30 years. It would improve public safety by enhancing the qualifications and accountability of building practitioners, streamline the building regulatory system and strengthen the province's Smart Growth agenda. Ensuring public safety is a government priority and is the key objective of the proposed legislation.

This is achieved in part by increasing the knowledge of building practitioners. The legislation would require building designers, building inspectors and those working for registered code agencies to meet qualifications set by the province. These individuals would have to pass assessments related to the knowledge of the building code. This improved building code competency will lead to building plans that comply with safety standards in the code.

As we know, it is critical for designers and building inspectors to know what's in the Ontario building code. This will help ensure that all drawings and specifications comply with the technical requirements of the code. Improving code knowledge of designs, for example, will

mean that designers get it right the first time, and that saves time and money.

The proposed legislation would also require designers, builders and registered code agencies to have insurance. This will result in more accountability for the work they do and provide an additional incentive to avoid defects.

#### **1900**

Insurance coverage would be improved for the traditional professional indemnity policies covering designers and extended to RCAs. There would also be new coverage required for major structural defects for seven years after construction. The building code would address type and scope of coverage, coverage levels, period of insurance, deductibles and exemptions. The province intends to require this extended insurance for general contractors responsible for structural work who work on non-residential projects with a value of \$50,000 or more. Persons who build their own homes would be exempt, as would home renovators. New home builders currently registered under the Ontario New Home Warranties Plan Act already provide warranty coverage, and this proposed legislation would recognize this.

As part of this legislation, a registration system for building designers and RCAs would be established. Details would be set out in the building code. This system would be used to ensure that those practitioners have staff with the appropriate code knowledge as well as the necessary insurance. As we know, builders are already registered through the new home warranty plan. Other builders would not be subject to registration but would have to have their insurance coverage verified by municipalities prior to construction.

Some may question why the insurance and registration provisions of this legislation do not extend to renovators. The province recognizes that the home renovation sector comprises a large number of very small firms that may find it difficult to find an insurance provider. Requiring insurance could result in many of these firms going out of business or joining the underground economy, where work is more likely to happen without obtaining the necessary building permits. This could jeopardize public safety.

We are working with the industry to encourage voluntary standards that could improve information and choice for consumers. This legislation also sets new minimum service standards and mandatory qualifications for inspectors. It would also clarify the roles and responsibilities of different building practitioners. Municipal building inspectors would be covered by a new code of conduct that recognizes the significant role and authority they hold in the approvals process.

Municipalities would develop their own codes of conduct governing the enforcement practices of chief building officials and building inspectors in order to promote appropriate standards of behaviour. The province would set the same high standards for registered code agencies. They would be given all the powers required to carry out their responsibilities, including the power to inspect, issue orders and stop work, if necessary, to

protect public safety. These standards would require their staff to have a high level of code knowledge. In addition, there would be stringent conflict-of-interest requirements to ensure the integrity of these agencies.

As well, new province-wide standards for inspections would mean that building officials have more certainty about what is expected from them. The legislation would establish mandatory inspections for all types of new construction. This would help ensure that projects are completed according to the approved plans and the code.

This legislation provides flexibility for municipalities in enforcing the Building Code Act and the Ontario building code. Municipalities would have several options to meet new minimum service standards. They could rely on their own staff, provide joint service delivery with other municipalities or contract some or all enforcement duties to registered code agencies. Municipalities could also choose to meet service level standards by allowing builders to select their own registered code agency. The bottom line is that municipalities would make these decisions since they are in the best position to do so.

Streamlining is another key component of this proposed legislation. Reducing red tape and encouraging innovation are important to this government. This proposed legislation would reform the building regulatory system by reducing approval times and increasing certainty and predictability for builders and owners. The measures include establishing a standard building permit application, setting time frames for building permit decisions, allowing municipalities to reduce duplicated reviews of similar building plans, limiting building permit fees to the reasonable costs of enforcement, allowing municipalities to outsource plan reviews and construction inspections to registered code agencies, provide a speedier appeal process to the Ontario Municipal Board for site plan matters, requiring that mandatory inspections take place within set frames and granting the Minister of Municipal Affairs and Housing the power to issue province-wide interpretations of the building code and the authority to approve alternative designs, systems and materials, provided the same level of performance established by the building code is maintained.

These measures would promote more fairness and certainty in Ontario's building permit system. The reforms outlined are also a key component of Ontario's Smart Growth policy. These proposed changes would speed up construction approvals and provide greater predictability to property owners, builders and designers about the services they can expect from municipalities and other local enforcement bodies. I believe these reforms would go a long way toward building strong communities.

Should the legislation be passed, it will be fully implemented within 18 months of royal assent. This would require time to finalize the details of building code testing and the insurance requirements that would apply to building and practitioners. It would also take time to develop the regulations required to implement streamlining measures.

We will continue to consult with building industry stakeholders on these implementation details. As a matter of fact, I met with the Ontario Building Officials Association and discussed the legislation with them. As you may appreciate, they have some misgivings about parts of the bill, particularly the plan for a new code of ethics to be put in the bill. But as I said, we will be dealing with the stakeholders on all these matters, and there'll be plenty of opportunity for input.

We have an opportunity to improve the building regulatory system in Ontario in ways that make sense, improve public safety, enhance accountability and streamline the building regulatory system.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: Quorum, please.

**The Deputy Speaker (Mr David Christopherson):** The member for Niagara Centre has asked for a quorum check.

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Etobicoke-Lakeshore may resume his comments.

*Interjection.*

**Mr Kells:** Jesus Christ.

**The Deputy Speaker:** I'm not sure you were fully aware your mike was on, but—

*Interjection.*

**The Deputy Speaker:** Order. You have the floor. Do you want it?

**Mr Kells:** I'd like to finish, if I may.

**The Deputy Speaker:** You certainly may.

**Mr Kells:** This legislation would improve the qualifications of those involved in the building sector, improve turnaround times for building permits, make the fees for permits reflect the true municipal costs and protect the consumer. Above all, this legislation would contribute to our ongoing efforts to ensure public safety is a priority in all construction throughout Ontario.

I urge honourable members to join me in supporting this important legislation.

**Mr Frank Klees (Oak Ridges):** I'm pleased to have the opportunity to speak on second reading of An Act to improve public safety and to increase efficiency in building code enforcement. I want to commend the minister for his work in bringing this legislation forward. Of course, we're grateful to all the individuals with whom the minister and the parliamentary assistant have consulted over the last number of months to bring to us what I believe is certainly overdue legislation and a very practical approach to improving the entire environment that certainly is imperative for us as a government to address, given the amount of growth that is taking place in this province, particularly in the greater Toronto area. The issue of building codes and the public safety around that, and the accountability factors that the minister has referred to as well, are critical.



**1910**

Then there is the issue of the process. One of the concerns that people have, certainly in the GTA and I'm sure across the province, is the cost of housing. We spend a great deal of time in this place talking about the need for affordable housing. Well, when we take a look at what has happened in this province over the years, time is money when it comes to the development industry and the building industry, the amount of time that is taken up, often through a great deal of regulatory hurdles, a great deal of process, if you will. By the time a developer can bring a piece of land on to the market and a builder is able to acquire a lot and then begin the building process, the amount of local fees, building permit fees and so on that are basically part of the cost of a home, the end product, someone has to pay for this. If there's something we can do—not only the provincial government but all levels of government—and certainly the municipal level has a great deal to do with this as well—to shorten that time frame, to streamline the process, to make the process at once accountable as well as efficient, it will certainly be in the interests of the end-user in this province.

I would like to address the public safety component of this bill. As the parliamentary assistant indicated in his remarks, the issue of public safety is certainly foremost in the mind of the government in bringing forward this legislation. I know there have been some criticisms on the part of the opposition. For example, I know that the NDP critic for this ministry is on record as expressing concern that because the private sector will be involved, or because there's room for involving the private sector, somehow the public safety component of this will perhaps be compromised. I want to assure the honourable member that is not the case. It need not be the case, obviously. As in everything else we do, whether it be at the provincial, municipal or federal level of government, how we implement legislation and how we implement regulation ultimately have everything to do with how well people in the province are served by the laws we make here. But certainly the safeguards are in place, and at the end of the day we believe that everyone will honour the intent and purpose of this legislation.

Building designers, building inspectors and registered code agencies would have to meet qualifications set by the province. Improving code knowledge of designers would mean that they get it right the first time. Again, speaking to the issue of efficiency, part of the problem we've experienced in this province in the past is in an environment where there is a lack of qualifications, a lack of this kind of very clear regulation. Often designs end up having to be revisited. That in itself causes problems in the process and certainly adds to the cost and frustration not only to builders but to end-users as well. New province-wide standards mean that municipalities and these RCAs would be more effective in checking plans and in inspection of construction sites.

The legislation would also establish mandatory inspections at key construction stages for all types of new construction. I think people looking on will probably be

surprised to know that that kind of regulation has not been in place to this point. Most people in the province would expect that this would somehow have been put in place years ago and that that is the regulatory framework under which we have been conducting our business. Is isn't, and so all the more reason for the timeliness of this—much overdue—that those kinds of qualifications, those kinds of regulations be put in place.

The proposed legislation would also clarify the roles of different building practitioners in their particular capacities as public officials. Municipal building inspectors would also be covered by the new code.

I'd like to move on to deal with another aspect of this legislation, which requires that insurance be in place by these practitioners. The builders to be covered by this mandatory insurance requirement would also be set out in the building code. The province intends to require insurance for general contractors who are responsible for structural work and who work on projects with a value of \$50,000 or more. As was mentioned by the parliamentary assistant, people who construct their own homes, who act as their own general contractors, would be excluded from this requirement. I have to say that I'm not sure that's necessarily the most prudent way to go.

Renovators are also excluded from this, and I understand the reason for that. I understand that renovators, as a rule, are many times small businesses, often sole practitioners, or maybe with two or three employees. The rationale for excluding renovators from this requirement is that in some cases it would perhaps be too onerous, first of all, to include them within the insurance plan, and then the insurance premiums may well be too high for them and it would simply become a cost of doing business that in many cases would be prohibitive and cause many of these small businesses to shut down, and we wouldn't want to see that happen.

Having said that, I also want to go on record as saying that I believe this is very much a matter of consumer protection as well, and I'll have something to say about the Ontario New Home Warranty Program a little bit later. But I really do believe that government has the responsibility to ensure that appropriate consumer protection provisions are in place.

I for one would like to see our government pursue some means of including the renovation industry in some form of regulatory responsibility as well. There are far too many stories throughout this province of people quite frankly being ripped off by people who are in the renovation business. While we like to assume the morals, if you will, and good sense of people, it doesn't happen consistently enough, and all too often people who can least afford to pay the price are subjected to bad business practices. Unfortunately, we have to find a balance between ensuring that regulatory protections are there and that the regulatory regime is not too onerous on businesses. I for one will go on record as saying that I'll continue to advocate within our own caucus and with my colleagues to see us do something about this.

The kind of insurance requirements specifically applicable to this industry, then, will be set out in the

building code. The province intends that insurance cover at least major structural defects for a period of seven years following the completion of construction. This is, by the way, the same period that currently applies to new residential construction under the Ontario New Home Warranty Program. I indicated earlier that I would have a couple of things to say about that organization, and I might as well do that now.

1920

My riding, the riding of Oak Ridges, incorporates Richmond Hill, Whitchurch-Stouffville and that part of Markham north of 16th Avenue, probably one of the highest growth areas in the province, if not the country. I have to say to you, as I've shared with the Minister of Consumer and Business Services, that I'm concerned that the Ontario New Home Warranty Program is not doing the job that perhaps it was doing in the past and that we, as legislators, would expect it to do.

I understand there is a review that is ongoing that is intended to address some of the shortcomings of the ONHWP. Frankly, I encourage members of this House to become engaged in that process. I certainly am. I've had a couple of meetings with representatives from the Ontario New Home Warranty Program in my riding. I've encouraged people to come forward who have had experiences with this program where it has not served them well, so that we, together with the ministry, can begin to address some of these issues. I can tell you, the horror stories are out there.

Again, there seems to be a presumption, unfortunately, in the case of some builders that because of the process being as cumbersome as it is, many people who have complaints about the workmanship, about some of the structural issues around their home, simply give up. There are only so many times that they're prepared to write the letters, to make the phone calls. All too often it's simply a matter of them walking away and taking on the cost of doing the repairs themselves. A home that they thought was going to cost them \$200,000 or \$250,000 or \$350,000 ends up costing another \$25,000 or \$30,000 or \$50,000 because there's work that they ended up having to do that they weren't counting on doing, that they simply felt should have been delivered in the first place by their builder, and in fact should have been.

So it gets to the same issue: what role does government have in helping to protect consumers? I for one believe that we have a responsibility. That's why we're dealing with a piece of legislation such as is before the House today. I do think that the issue of the Ontario New Home Warranty Program remains unresolved. We have a lot of work to do there. Perhaps in the not-too-distant future we'll see the Minister of Consumer and Business Services come forward with some recommendations specifically related to that as well.

In addition to the insurance qualifications, we, through this legislation, will also be calling on additional issues such as qualifications for the actual building practitioners. We would include requiring that design firms, municipal building departments and registered code

agencies have staff who have passed tests about their understanding of the building code. It's certainly not too much to ask. Again, I would have expected that something as fundamental as this would have been in place up until now; it hasn't been. So it's certainly timely that we put this in place. These tests would be based on current code requirements and would provide for assessments based on classes of building or technical disciplines.

What exactly is the relationship between building regulatory reform and Smart Growth? The minister in his opening remarks made reference to the fact that this is simply an integral part of the Smart Growth philosophy of our government. The truth of the matter is that this legislation and building regulatory reform would strengthen our government's Smart Growth agenda. By streamlining the building regulatory system, it will help to ensure that growth can quickly and cost effectively occur in appropriate areas. The fact is that people continue to come into the greater Toronto area. They come to Ontario because it's a great place to be; it's a desirable place to be. So we have to deal with the realities of growth. It's going to happen; people continue to come here. The challenge for us as a government is to ensure, when that growth takes place, that it takes place in an appropriate way, environmentally responsible; that we maximize that land area that has been designated for development, for building; and that that construction and that building can take place in the most cost-efficient way to deliver an end product that is affordable and that can be brought to market as soon as possible, particularly with dwindling supplies.

We believe that at the end of the day not only will this legislation before us allow us to bring product to market sooner and to do so in a very efficient way, but it also to a large degree will address the affordability issue by cutting out the months and often years of time it takes to bring developments through the application process. At the end of the day, as I've said before, it's the consumer who ends up paying the price for that.

The minister indicated that the advisory group formed by him that met for a number of months and gave good advice to the then parliamentary assistant, Mr Brian Coburn, who is now, by the way, the Associate Minister of Municipal Affairs, deserves a great deal of credit for helping us come up with this legislation that we believe balances the professional needs of the building industry with consumer issues. BRRAG, the name of that group, addressed many issues raised by the Red Tape Commission's 1998 consultation with stakeholders on improving Ontario's system of building regulation.

I'd like to say at this point that really not enough credit has been given to the Red Tape Commission in the course of our government over the last number of years. It has on many occasions been very effective in bringing issues to the fore for ministers of our government, to our caucus and to government in general in areas where we needed, on the one hand, to ensure that there was a streamlining of regulation, but they also approached their responsibility from the standpoint of consumer protec-



tion. I've seen on many occasions in my time in cabinet and in caucus where one would have thought that perhaps the Red Tape Commission would have erred on the side of wanting to get rid of regulation, when in fact they have often raised the concern that in a particular area of responsibility there really aren't enough good regulations. So the role of the Red Tape Commission is not simply to cut red tape but to make sure that we have effective regulation in this province. I want to credit the work of the commissioners over the last number of years with our government.

The proposed legislation includes several measures to address these concerns about the use of registered code agencies. These measures include provincial registration of these so-called RCAs, including requirements related to building code knowledge and the insurance issue that I mentioned earlier, and an ability for the province to deregister these RCAs on the basis of their past conduct. There are strict conflict-of-interest rules to achieve integrity in the construction approvals process, municipal control over the decision of whether or not to permit the use of RCAs and limits on the ability of builders to switch RCAs in the middle of construction.

1930

The issue of RCAs, the ability to transfer to a private sector the responsibility of doing these inspections, no doubt will be a matter of debate in this House, and there are those who philosophically will take the position that this should always be retained, a responsibility to be retained by government, that somehow the private sector cannot be trusted or should not be trusted to carry out that responsibility. I would suggest to the critics of this initiative that the issue is not whether it's private sector or public sector; the issue really is whether or not the implementation is done efficiently and effectively and whether the regulations are sufficient to ensure that the appropriate responsibility is taken to deal with this, whether or not government has put the framework in place that holds accountable these private sector organizations, these private sector agencies. I'm certainly satisfied that we will have those safeguards in place, and at the end of the day it will be up to the local municipalities to decide whether they will allow the use of these RCAs and under what conditions and under what circumstances.

So, again, I commend the minister for having come up with what I think is a very creative idea in terms of implementation.

Speaker, I've just been given a note that my colleague Mr O'Toole would like to speak to this as well. I'm happy to defer to him, in that case.

**Mr John O'Toole (Durham):** Just wait. I need to get my notes.

**Mr Klees:** Well, I have a note here. I had a note here saying that he would like to. I'm certainly prepared to share my time with him, if that's the case. My understanding is, though, that if he does want to speak, he would require unanimous consent of the House to do so. I'm not sure if his past conduct with members opposite is

such that he'd get unanimous consent for that. We can always ask.

**The Deputy Speaker:** Stop the clock for a second. Just for clarification, because I had to get it clarified too, the rules do provide that at any time if you mention that you're going to share it, that would be allowed. You probably made an error earlier with regard to mentioning another member, but whether you did or not doesn't matter. You've now mentioned the member from Durham, and if you wish to stand down and let the rest of the time go to that member, you may do so.

Please start the clock.

**Mr Klees:** I think I probably will give him some time, then. I do have a couple of final comments I'd like to make.

**Mr Kormos:** Yours wasn't exactly a barnburner. Sit down.

**Mr Klees:** Thank you to the member. You may not consider my remarks a barnburner, but then we do our best, don't we?

I spoke on behalf of my constituents. I'm convinced that this legislation at the end of the day will do what was intended: to give Ontario a new framework within which the building industry, within which the officials who have responsibility for inspection, within which municipalities who have responsibility to administer and to oversee this industry, will be much more accountable, much more efficient than they have been in the past.

With that, I'd like to commend the Ministry of Municipal Affairs and Housing for the work they've done, all of the staff who have been involved in preparing this, and defer to my colleague from Durham for any remarks he would care to make.

**Mr O'Toole:** I want to show some respect and appreciation for the member from Oak Ridges for being prepared to share some of his time.

I also wanted to get on the record as showing respect for those in the consultation groups who worked very hard on this particular bill. They did make some requests of the minister, which I believe Minister Hodgson has listened to. I say that because the Durham region council as well as the municipality of Clarington both reviewed the consultation document under the Building Code Act, 1992. There were concerns from both a red tape perspective as well as the proposed method of making sure there were still consistent standards and enforcement.

When I looked for the bill—I had some time where I had to look for the bill—it was first introduced in November 2001, as members would know. I think it's important to put on the record that under the explanatory notes in the bill, which I'm reading for those viewing, it says, "Amendments to the act will also permit the building code to be enforced by new entities called 'registered code agencies.'" From what I heard in the report filed with Durham region, this was somewhat of a concern but, "A principal authority will be able to appoint a registered code agency to perform specified functions in connection with the construction of one or more buildings"—I think, for instance, in a very important area where new homes

and affordable housing are being built and subdivisions potentially are being held up for administrative reasons. It's under this umbrella that I think the minister has consulted on this bill and has found a mechanism to make sure this is the right thing to do.

"The power of principal authorities to make these appointments is set out in the new section 4.1 of the act.

"Principal authorities may also authorize certain classes of applicants for permits under section 8 of the act to appoint a registered code agency to enforce the building code in connection with an applicant's construction. These powers are set out in ... section 4.2 of the act.

"Every registered code agency must have the qualifications and meet the requirements specified in the building code." So there is no devolution or dissolution of the codes themselves. The important aspect here is that we have quality and we also have the appropriate authorities with the recognized credentials to enforce these codes. "The functions, powers and duties of registered code agencies are set out in the new sections 15.14 to 15.22 of the act. Once a registered code agency has been appointed, the appointment cannot be terminated except in accordance with the building code." Once again, the building code takes primacy.

"The act will require chief building officials and inspectors to have the qualifications set out in the building code"—bricklayer, electrician, plumber etc. "An amendment to the act also provides that designers must also have the qualifications set out in the building code, in order to engage in certain activities. The requirements for qualifications are consolidated in the new section 15.11 of the act.

"Registered code agencies, designers and others will also be required to have the insurance coverage specified in the building code." These are liabilities, an errors and omissions kind of insurance. "This is set out in ... section 15.13 of the act."

"The bill consolidates certain provisions that are now in the act: provisions relating to the enforcement of requirements for plumbing and sewage systems (the new sections 6.1 and 6.2) and provisions relating to"—

**Mr Kormos:** Mr Speaker, on a point of order: As I recall, the standing orders specifically prohibit members from reading at length during speeches. That's designed to make speeches a little more lively than they have been from this member.

**The Deputy Speaker:** I will take your remarks under advisement. Please continue.

1940

**Mr O'Toole:** I'd like to thank the member for Niagara for bringing that point up because, really, I think it's important. This is a very technical bill, and as such we wouldn't want people to lack confidence that this change is intended to make access to building code standards and enforcement much more reliable and accessible.

I would only say that our "amendments are made with respect to the enforcement of the act and building code by principal authorities. Under section 6 of the act, as re-

enacted in the bill, principle authorities may enter into reciprocal agreements governing the review of substantially similar buildings." This is like a subdivision, where in fact there is a plan, there are six different plans in the subdivision. They can approve the plan and then inspect as required.

"Amendments to section 7 of the act require that fees charged by principal authorities for permits must reflect the actual cost of delivery." This is so there's no kind of cash flow issue here placing a burden on the building of affordable housing through a mechanism known as fees.

"Principal authorities will be required to make annual reports with respect to these fees and costs. Principal authorities will also be required to hold a public meeting before changing their fees under the act."

Many of the people in the House here today have at some time in their past, before coming here, served on council and in such planning issues as plans of subdivision, site plan control etc, and some have suggested that the development industry has been bottlenecked through the planning stages and through the sub-division development stages, really ultimately adding cost to the consumer. All those costs aren't absorbed by the development or the building industry or the trades; they're really borne by the home purchaser.

"Principal authorities will be required to establish a code of conduct for their chief building officer and inspectors, under section 7.1 of the act. The roles of various persons (such as designers, builders, manufacturers, registered code agencies, chief building officials ... ) are also described" rather extensively in the act.

I commend the Minister of Municipal Affairs for giving authority to issue written interpretations of building code, which are binding on both parts. This is set out in a new section, 28.1.

The reason I wanted to be on this is because this is, I believe, the second attempt under this BRRAG regulation—the building code regulation advisory group—that the minister has tried to find a mechanism to eliminate potential bottlenecks, for the bringing on stream of affordable housing primarily, of quality, without any exemption to those who are interpreting or enforcing the building code standards.

I think there's some language in here as well—and I'm not reading from notes, I'm going from my memory of being familiar with the bill. There was a considerable amount of consultation around 1997, 1998, 1999 and then the election came up. We introduced the bill in 2001. There was some question with respect to, who were the principal inspectors and under what authority were they able to inspect? I believe that allowing designers, builders and tradespeople, under certain controls and regulations, to perform these duties will make it much more effective to have homes built safely, as well as having a mechanism to make sure they have the insurance and the liability covered so that the new home purchaser isn't in some way disadvantaged.

In conclusion—I only have two minutes left; I wish I had another two hours because this is starting to engage



me to the point where I really feel—looking at notes here, building regulation reform, one of the questions that came up to me, and I was asked to speak on this, was, how would the legislation help to streamline the building regulatory system? The proposed legislation streamlines the building regulatory system by reducing approval times and increasing certainty and predictability for builders and owners. We see now, every day, subdivisions held up for these various technical things that have to happen. The reforms are designed to encourage good decisions to be made faster—good, timely decisions.

*Interjection.*

**Mr O'Toole:** My friend from Bramalea-Gore-Malton-Springdale, the longest riding in Ontario, has reminded me that I've only got a minute left.

Measures include establishing a standard building permit application—how appropriate in a time like this with on-line filing and application assistance. Setting time frames for building permit decisions and not letting these things be deferred and deferred—requiring decisions to be made in a timely manner.

Who is waiting is the new home purchaser who thought they were going to move into their home June 1. Guess what? Because of some bureaucratic decision they are being delayed and delayed. It's costing them money, perhaps living with their in-laws—hopefully not my children.

Allowing municipalities to reduce duplication reviews of similar building plans—imagine a subdivision with six simple plans that are being replicated one after another, sort of like Dunkin' Doughnuts. Requiring that certain mandatory inspections—this is important—take place within certain set time frames. Making sure that certain sequential events happen in the building of a house: the foundation, the framing, the plumbing, the electrical, drywall. All these things have to happen in a sequence. Any holdup delays the following trades. In my terms, the government has gone in the right direction to make this the right thing. I expect the opposition to support this.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Mario Sergio (York West):** Just a few comments on Bill 124, which is not bringing any amendment to the Ontario building code; I think it's completely rewriting the building code. The act itself is one of those very important components for municipalities in dealing with various buildings. It is of paramount importance that we have one that is fair to cities, municipalities, counties, the public, builders and buyers in general.

This bill, the way it is presented, has a lot to offer, but it has a lot more work still to be done. In its present condition, the bill does not deserve any support. Municipalities will suffer because of the bill the way it has been presented. We could practically call it the builders' dream building code. They might as well have their own architects approve the plans, read the plans, build the buildings—homes or whatever they may be. They will have their own enforcers, their own inspectors, their own people as well.

I think this has more to do with privatizing the building code than revisiting, changing, making amendments and providing a new building code that indeed is fair to the municipalities and to the public. I think that in the end municipalities and the public are going to suffer. We are not talking about a little house or a garage; we're talking about high-rises, major malls and industrial and commercial buildings. Once we look deeper into the bill itself, there is still a lot of work to be done. I hope the government will understand that.

**Mr Michael Prue (Beaches-East York):** I listened to all four speakers: the minister and the members for Etobicoke-Lakeshore, Oak Ridges and Durham. But it wasn't until the member for Durham spoke that the position became crystal clear, and that may not have been crystal clear to everyone listening, either in this room or among the TV audience.

What he said is that good decisions will be made faster—this is about speeding up a process—and delays in bureaucratic decision-making will be stopped. I think this is the position, perhaps the erroneous position, from which he starts and at which he ends. In fact, to make decisions faster is to invite error. We all know that when decisions are made too quickly, errors result.

If the problem is with the bureaucratic decision-makers, it is in fact with the public employees who are employed in all the municipalities, who for 100 years have done an exemplary job in regulating buildings under the building code of Ontario.

**1950**

I listened to the member from Oak Ridges, who in a very thoughtful speech talked in a couple of ways and made points that I can agree with and some that I can't, but he did speak about putting safeguards in place and consumer protection provisions. But in the end I ask him to think that the developer and the homeowner will end up paying and that there will be higher fees because of the timelines, because of the seven days, because you'll have to pay and get someone in who can do it right away, and there will be increased risk. I think that is the problem all of us must look at, the increased risk. It isn't enough just to build a home and say, seven years later, that nothing has happened. You find that problems develop with homes whenever there is a man-made or a natural catastrophe—when you have a hurricane, when you have a fire, when you have an explosion. That's where the problem is and that will occur after the event.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** One of the things the previous speaker, the member from Beaches-Woodbine, just mentioned: if you are more efficient and you do things more quickly, he's saying there's more likelihood of making a mistake. I don't quite follow that logic. He's literally saying that if you are inefficient, you do things slowly, you may take more time and you'll make fewer mistakes—not quite a good logic.

Nonetheless this bill, Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement—some of the key reforms, and I think sometimes we sway away from that and we lose the

connection, basically are to streamline the building approval process through standard application forms and time limits for decisions on building permit applications: for example, 10 days to a house.

I was in the process recently, a couple of days ago, actually, where I wanted to have an extension to the deck and I thought it was a simple process. I went to city hall and there were a whole bunch of forms, all kinds of plans. I'm just extending the deck, and they said, "You know what? It could take anywhere from three to four weeks. We have a simpler process if you come in on Tuesday between 7:30 and 10:30 or whatever in the evening. Then it may take two and a half weeks." That, to me, seems like a lot of red tape, a lot of inefficiency.

I think a homeowner, provided they provide the proper plans and everything, should have quick, speedy approval so they can go ahead and start building and get this economy going and have a lot of construction jobs opening up.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I'm pleased that I am able to offer some comment to the bill that the minister and other members of the government spoke to this evening. I will not be able to speak in support of this bill. I've heard from municipalities in my riding, and the people in my riding are very concerned with what the bill contains. They believe, they've indicated to me, that the bill places additional burdens on them that they do not have the financial resources or the human resources to deal with in their municipality.

We hear members from the government talk about streamlining a process and making it more expeditious for people to gain permits. Certainly, were this a bill that addresses a process and provides some additional resources so that the people in place who do the inspections can do what they do in a more timely way, I think that is something we can support. That's not what this bill does. This bill says, "We want to change the timelines and we're going to increase the expectations in order for you to be able to do it faster. If you can't do it with the structure that's in place now, then find a different structure." Our concern is that in the search for a different structure there is a compromise, and it is the public's safety. We are not prepared to support any kind of legislation, and certainly municipalities in my riding do not want their member to stand in this Legislature and advocate for legislation that will be an additional burden to them and will compromise, very possibly, the safety and well-being of people within their communities who embark on a construction project. So I will not be able to offer my support to the legislation that's been presented in the Legislature tonight.

**The Deputy Speaker:** One of the original speakers may respond for up to two minutes.

**Mr Klees:** I want to thank the members for York West, Beaches-East York, Hastings-Frontenac-Lennox and Addington, and Bramalea-Gore-Malton-Springdale for their comments.

I'm surprised at the comments made by member for Hastings-Frontenac-Lennox and Addington, and actually

quite disappointed at her remarks because she stood in her place, stated her objection and made it very clear that she wouldn't be supporting this legislation because it causes an additional burden and places an additional responsibility, additional qualifications, if you will, on municipalities and on the inspection process.

In the interest of public safety, surely every member of this House would take it upon themselves to sit down with any member of any municipality, any elected official who would ask them to object to this legislation, and reason with them and point out to them the importance perhaps of additional costs in the short term, perhaps taking on the burden of putting in additional qualifications, and training the people who are there and going out to do the inspections, so that in fact whatever building or construction takes place within that municipality, the people who will live and work in those structures will have the assurance of the appropriate inspection and of all the safeguards that government has a responsibility to put in place.

I invite the member and all members of the Legislature to take a second look at this legislation and to support it.

**The Deputy Speaker:** It is now time for the leadoff speech for the official opposition.

**Mr Bruce Crozier (Essex):** I have the privilege this evening of having time shared with the members for York West, St Catharines and Prince Edward-Hastings. It's my privilege to stand this evening and speak for a few minutes about Bill 124, An Act to improve public safety and to increase efficiency in building code enforcement.

If it truly was a bill that was going to do what the long title of it says, I might be able to consider supporting it. But in my review of the bill, I am not yet convinced, at least as we go into second reading, that that's what the bill in fact will do. So I certainly hope, as we proceed through debate for second reading and when the bill hopefully goes to committee, that there will be some amendments made that will truly reflect what the title of this bill would imply.

I have had some experience in this area. Not only was I an elected member of a council for three years and mayor of a growing community for five years, but I was also in the retail building industry for 22 years. So I have some appreciation for the need for expediency when it comes to issuing building permits.

As an elected member, it wasn't unusual for someone who was in the process of building a house, a factory or an apartment building to come to the elected officials and ask for their assistance in making the process more expedient. But quite frankly, most of the time there was a reason why it was taking some additional time to get the appropriate approvals, and that was in the area of public safety and efficiency. We simply wanted the job done right.

**2000**

It's been floated, at least in the Kitchener-Waterloo Record in November of last year, about what kind of timelines this government may be looking at in approv-



ing building plans in a strict time frame. The exact time frame will be set out in regulation. As we know, in so many things that happen in this House, the devil is really in the details. So we don't know at this time what the government's idea is of an exact time frame, but it has suggested that it could be as short as eight days for houses and 20 days for larger buildings such as apartments. Eight days for a house, I can see that. That's realistic. In fact, many of the house plans that are submitted on subdivisions are really plans with minor variations from one structure to another. But let me suggest that if you're going to have larger buildings, an apartment building, a factory—20 days? I don't know. I think that when it comes to public safety 20 days might be just a little bit too short of a time frame.

As has been suggested in the two-minute comments by one of my colleagues, what we're concerned about with this legislation, as with many pieces of legislation that are brought forward, is that notwithstanding the consultations that have gone on before, notwithstanding who the consultations were with, the legislation often is lacking when it is brought to this House. We feel that this legislation, as it's being presented to us, actually weakens the health and safety protection for Ontarians.

You're going to hear more about this during the debate, you're going to hear more about it in committee and you're going to hear more about it, no doubt, in third reading of the bill. I'd be willing to bet that, with the form of democracy that's in this House, this is another piece of legislation that I wouldn't be at all surprised gets into the clutches of time allocation. I'm not so sure that we're going to be able to bring everything out about the bill that we want to when it gets to third reading.

So yes, we will be opposing this legislation, certainly at second reading. When we go to committee there will be amendments that we'll want to propose. But again, Speaker, I'll just make you another little wager that there won't be very many opposition amendments that will be accepted on this.

I neglected to mention, when I said that I had had some experience with building permits and the issuing of building permits and the timelines with building permits and what's involved in them, that not only was it my experience as an elected councillor in a growing municipality and my experience in the retail lumber business supplying builders and individuals who were building their own homes, but one of my best friends is one of the top building officials in the province of Ontario. I'm not going to mention his name because I know he'd be embarrassed by it. But I have taken the opportunity to discuss this with him on occasion.

**Mr Garfield Dunlop (Simcoe North):** Probably Dalton McGuinty.

**Mr Crozier:** You can guess all you want, but a secret is a secret with me.

We agree that steps need to be taken to improve the timelines when it comes to issuing building permits. In fact, I suggest that you can go to municipalities across this province where building permits are issued in a very

timely fashion. You can also go to other municipalities that have a reputation for having roadblocks in the way of the issuing of building permits. They do take too long. I'm not so sure that you can legislate that kind of thing. If a municipality is just simply not very efficient and they want to continue that way, you can have all the legislation you want before them but they'll find a way to delay it. Whether they do this on purpose or whether they are simply not efficient, I'm not sure. But setting some guideline that's chosen as being an efficient way to do business might not necessarily solve the problem.

As has been alluded to, yes, there are additional burdens to municipalities. If you're going to improve efficiency, you're probably going to have to increase the number of staff to deal with these problems. When things are busy, that's great. When things aren't so busy, then the staffing problem becomes difficult in another way. We support the idea of trying to become more efficient, but we don't support anything that will put additional burdens on municipalities and their ability to do business.

What I really think this legislation is all about is privatization, and privatization has its problems, particularly when it comes to public safety. We have examples of that in any number of areas around the province. For example, this government brought in self-regulation and self-inspection when it comes to amusement rides in the province. I have yet to verify this, so I am going to qualify it by saying I don't have the exact statistics in front of me, but I was told today that there could be upwards of 50% of the inspectors of amusement rides in this province who are not totally qualified. I think that as this government proceeds with this bill to privatize, they should be very careful that those who have the authority, who have the responsibility and who must be accountable are certainly well trained and well qualified. We've seen examples in the areas of jails, elevators and, as I mentioned, amusement rides, and I guess we're about to experience it in the area of driver testing, where privatization brings with it a number of problems.

Currently the building code is enforced primarily by municipalities and by some counties, some boards of health and planning boards, and some conservation authorities. Each of these has certain powers granted to it to appoint officials who can act as inspectors, issue orders and enforce the code. But herein lies a problem, I believe, with this legislation. In its attempt to privatize, Bill 124 will allow what are called registered code agencies to enforce the code. I want the people of Ontario to remember the term "registered code agencies"—RCAs. You're going to hear a lot about it. And when they refer to RCAs, that isn't the old dog sitting by the megaphone; it's registered code agencies.

Well, one of the ministers has his ear—

*Interjection.*

**Mr Crozier:** That's right; that's what I'm referring to.

Municipalities are going to have several choices under this legislation. They're going to have their choice of simply not using registered code agencies, which certainly would be my advice. They might allow a mixture

of both municipal and registered code agencies. That starts to get kind of confusing, because who are you going to be dealing with? Are you going to be dealing with the municipality, or are you going to be dealing with a registered code agency? Who should you go to when you have a problem, the municipality or the registered code agency? I think that's going to start to confuse the issue. They can simply end municipally run building inspection and turn it all over to these agencies, outsource everything and the municipality wouldn't be involved at all. That's still going to be confusing to the residents of the municipality, because in the end, notwithstanding any legislation that you might put before us or that might be passed, people expect to be able to go to their municipality, particularly when they've got a problem, and get an answer and some accountability.

#### 2010

Municipalities will also have the power to allow property owners the flexibility to choose their own agency. Frankly, I don't have enough time to go into the problems that I think can arise from giving the property owner the flexibility to choose their own agency.

By far, builders in the province of Ontario are respectable and build quality structures, homes, factories, apartment buildings, office buildings. But when you get into that area of allowing the property owner to choose their own agency, I think there might be some difficulty with that because in some cases they might not necessarily deal at arm's length. That could be problematic.

I only have a short time left. There are two particular areas of the bill I would like to touch on that are areas of concern for me. One is, the act is going to be amended so that the minister may issue an "interpretation of any provision of the building code, and the minister's interpretation is binding on any person exercising a power or performing a duty under this act and on any person who is subject to this act." It does say that the minister will have to set out the interpretation in a statement.

What that means to me is that democracy, if there were any in the bill, is gone, because the minister can simply say, "That's the way it's going to be. You don't have any choice. You don't have any appeal. It's a done deal."

My time is up. There's much more to say. I'm sure that my colleagues will add to the debate this evening on this bill.

**Mr Sergio:** I would like to add to the debate on Bill 124 as well.

As my colleague from Essex just finished saying, I hope that we can add to the bill. As a matter of fact, I would hope that the members on the government side are intently listening to members on the opposition side. Hopefully, they can then make the necessary improvements, the necessary changes, to the bill as it has been presented. When we are dealing with completely re-writing the Ontario building code, the way that it's presented leaves a lot to be desired. So I hope that while we go into this one hour of debate, the third party—in 15 minutes it is impossible for any member of the House to

describe fully all that the bill contains and do justice to the bill. It is totally impossible.

We are dealing with an extremely important aspect that the public expects governments to deliver. When we have a government that says, "We are rewriting the Ontario building code to improve public safety and increase efficiency," I think it's a total misnomer. We have to look at the content of the bill and tell the government, tell the minister, that they've got to go back and rewrite not only the text of the bill but the content of the bill itself, because in no way can you take this important part of a municipal government called the approval, the issuing of building permits, the inspections of those buildings, being houses, garages, high-rises, commercial, whatever, and then, as well, they have to go back and say, "Has this been done right or wrong?" It's not only the inspection, but it's the enforcement as well.

So we are giving up everything. But what they are saying to local municipalities—because at the moment, municipalities are getting the application, they are processing them, they are issuing the building permit, they are doing the inspections and middle inspections and final inspections, and then whatever have you, until the occupancy, OK? And then, following that, indefinitely—not for a month, not for a year, but indefinitely—that particular building will be overseen, enforced, by the local municipality forever. At any time if there is a problem with that particular building, Joe Citizen can pick up the phone and call the city, the inspectors, the commissioner, the councillor or the mayor and say, "I have a problem with this building. I have a problem with my foundation. I have a problem with whatever." And I'll tell you, they know it, because a lot of them have been dealing with municipal issues. Many of the members on the government side as well come from a municipal background, so they know that there are too many problems associated with the building industry, with building permits.

At the moment the municipalities do everything. So the government is saying, "We are giving them the option"—"option" is becoming a very fancy word with this government—"to say they don't have to. They don't have to have this so-called 'code agency.'" Let's face it, folks, it is called a private group. That's what it's called, a code agency. You can have your own engineering firm. You can have your own architectural firm that will be stamping those plans. This code agency, this private group—let's speak the people's language here—will be issuing the building permit. They will be doing the inspection. This private group will be doing the enforcement. And you are trying to tell me that anywhere in this bill there is protection for taxpayers, for homeowners? There isn't.

Just let me give you one very simple problem that cannot be addressed by a private so-called "code agency." Let's say a house is built and there is a problem with drainage. It's a very common problem—I don't have to tell you—a very common problem.

**Mr Dunlop:** It shouldn't be.



**Mr Sergio:** It shouldn't be. That's right, it shouldn't be.

**Mr Dunlop:** That's the existing system.

**Mr Sergio:** I'd like to hear that, Mr Speaker. It shouldn't be.

But let me tell you that, according to your bill, liability, responsibility lies with whoever signs the building permit. And if it's not an officer of your municipality, my friend, if it's not an officer of the city, whatever municipality, ciao. Try going to get the building inspector. Try and get it enforced. Try and get it changed. Because now you go to your city official and they say, "We didn't issue, we didn't stamp this building permit here." Aha. This is your bill. This is what you have in here.

So who is going to be responsible, ultimately? Whoever signs the building permit. Oh, yeah, but you say, "We are giving the option to local municipalities." Let me tell you what you're giving to municipalities. You are forcing them to go private, because they can't afford any more to have the planners, the engineers, the architects, the people to go and inspect and the people to enforce. So now this becomes the dream for the building industry, the big developers.

2020

Believe me, I have no problem with developers, with people making money in any business as long as they do it right. I have absolutely no problem. But the fact is that once you give up those responsibilities, you try and protect fairly the home owners, mainly. According to your proposal here you are saying, "We should be looking at giving a building permit for a house within eight days." Well, maybe it's not too bad. Maybe we are talking about a 700-square-foot little bungalow, stuff like that—no problem.

Then we are saying, "Maybe up to 20 days"—maybe not "up to"; I think it is 20 days—"for a high-rise, a multiple building." My goodness, how can you tell people that this is to increase public safety and efficiency? You want a building permit, from the time the application comes in, within 20 days? Come on. I am sure the minister knows that it takes more than that to issue a very thoroughly examined building permit for a 10-, 15-, 20-, 30-, 40-storey building.

Once the application is received by the local municipality, it's not solely the plan examiner who says, "Well, this looks pretty good. Bingo. Let's stamp it." What happened to the other agencies: the fire department, the health department, the public works department, the transportation department? Do you know, folks, how long it takes to look over those plans? It takes days and days in each department, and you are forcing someone to issue a building permit for a high-rise within 20 days, and you are saying to me that you will increase efficiency and safety. I think it would be very naive of anyone out there to truly say that the way to go is to rewrite the building code and tell the public in general that it's done in the hope that this indeed will improve efficiency and safety.

If there is an area that we as a government, other agencies and especially municipal governments should be looking at, it is the health and safety aspect. My good-

ness, you try and get some time with a building inspector now. Forget it. Municipalities don't have them any more. They can't afford them any more because of what the government did with the municipalities. We are saying to those municipalities, "Give the service to these code agencies and they will look after you." Well, my goodness, you try and get one of those inspectors or planners to endorse what they have put out there. They will say, "Oh, he will come back on Monday." "But today is only Tuesday. Isn't there anybody else?" "No, we don't have anybody else. We only have two people." My goodness.

I think we are giving up our absolute responsibility to the total industry and to the public at large. If there is an area that truly deserves a second look, a second thought, it's issuing the building permit and then doing the inspections and the final enforcement as well.

I didn't look at the time when I started, Mr Speaker.

*Interjection.*

**Mr Sergio:** Fantastic. I still have three minutes.

Let me say what this does to municipalities. I am not sure that the minister—and I can appreciate that I have no idea who the members of these so-called building regulatory reform advisory committees are, but I'm sure—

**Mr Gilles Bisson (Timmins-James Bay):** Tory appointments.

**Mr Sergio:** Tory appointments. I have no idea who they are, but I'm sure they have a good knowledge of the industry and stuff like that.

Let me say what this entails for the various local municipalities as well, and I cannot go over everything because I only have two minutes. Under Bill 124 municipalities can now only collect permit fees that reflect the cost of service delivery. Well, what the heck is that? What is the service that the local municipality delivers? Is this getting the plans over the counter? Do we calculate this per hour applied to each permit? How do we know? So municipalities have to be awakened to this.

But I like a couple more. Establish a code of conduct for building inspectors: oh, well, who is going to be doing that? Who is going to establish this code of conduct for those members, so called, of the code agency? But I like this one better, the one I just mentioned: approve building plans in a strict—give me a break, come on—time of eight days.

I too, as does my colleague from Essex here and many others, come from a municipal background. I would get a number of calls from applicants, big and small, asking, "Why is my building permit taking so long?" "When did you bring it in?" "Last Monday," or, "A month ago." "Well, OK, let me check it out." Do you know that 99% of the time it was not the city's fault or the plan examiner's fault; it was because the applicant originally didn't supply all the necessary plans. Then from time to time they would fail to bring in further material upon the request of the local city or municipality's inspector, plan examiner or whatever. "Oh, well, I have to go after my architect and get that document." "When you get it, you give me a call back."

So I think it's both ways. But you can see from the way the bill is written that it has nothing to do with efficiency or providing more safety. It has to do with the greed of the government to privatize and get rid of their responsibility, and I think before they finalize this bill they'd better come back and present a rewritten bill once they hear all members of this House and people from the outside as well.

I thank you, Mr Speaker, because I'm about five minutes over time now.

**Mr James J. Bradley (St Catharines):** To me, this bill is somewhat of a Trojan horse, and inside that Trojan horse is the idea of privatization, the agenda of privatization this government has of everything that seems to move and is now within the realm of government.

Unfortunately, many of the arguments that are advanced on the government side, and I'm not unfair enough to say that there's a direct parallel, but in terms of the philosophy being espoused on the government side, some of them are the same arguments that were advanced for downsizing the Ministry of the Environment with the consequence of the Walkerton tragedy occurring. Because that was the philosophy under the intrusion of the Red Tape Commission, that subversive organization within the government of the province of Ontario, subversive to those who happen to be ministers, there were many recommendations that came forward to weaken, for instance, the Ministry of the Environment and other ministries in terms of their regulatory responsibilities.

Why was that? Well, it's the same argument that the government gets today from its developer friends, and that is, "Well, it takes too long to go through the procedures that are part of the city hall approval plan," or the regional approval plan or provincial approval plan, one of the three. Just as they said, "It's time you got the Ministry of the Environment out of our faces," they're saying this in this particular instance, "It's time you got those municipal building inspectors out of our faces."

By the way, when the Tories used to get up in the House and say, "Promise made, promise kept," one I always agreed with was that they promised to get the Ministry of the Environment out of the polluters' faces, and that was a promise that they kept in many instances. As a result, we saw a weakening of the regulatory regime to such an extent, you will recall, Mr Speaker, that during the testimony before Justice O'Connor and the Walkerton commission, it was said that the Ministry of the Environment was afraid to advance any regulations that would in fact place an onerous protocol in place for the private laboratories.

2030

You remember in those days what they wanted to privatize was those wonderful Ministry of the Environment regional laboratories with some of the best scientists you could find in North America, top-notch technical people that you would find in North America, good equipment, a great reputation. One of the first things they wanted to do was sweep those out of the way and force municipalities in their drinking water circumstances to have the testing done by private laboratories.

Some private laboratories have been quite successful and have built up a good reputation. Others have been less than assiduous in the way they've done their job. In your area—you represent Hamilton West—you know there was a company that finally, after a year of investigation, was charged by the Ontario government for what we will call allegedly manipulating the results of their tests, not doing the tests properly and so on. I won't get into the details of that, because that'll be a legal case that should be dealt with in the courts. Those allegations are out there. As an environment critic, I was called to make comment on the regime that's in place to protect us from that and it is still to this day inadequate.

What I want to point out is that the thinking going into this piece of legislation is the same kind of thinking that went into the drastic downsizing, the damaging downsizing of the Ministry of the Environment, the wiping out and weakening of regulations which were there to protect public health and safety, and a general philosophy that says that whatever government happens to be doing is not good and it should be turned over to the private sector. There may have been some appetite for that five or six years ago, but we have seen changes as a result of the tragic events in New York City and Washington where there were terrorist attacks that took place on a massive scale. I think the public saw there the importance of having, as Mayor Giuliani in New York pointed out appropriately, public services for which people had to pay their tax dollars, but the public services were the services they needed at this time of crisis.

I'm suggesting that this legislation is more about moving toward privatization of inspection services in municipalities than anything else. Is it understandable that developers want to have speedy approvals? It's understandable. If you're a developer in this province, if you're a builder, you want to have speedy approval, probably in the case; certainly inspection. It is however the responsibility of the public sector to ensure public health and safety, to ensure that when the apartment building goes up, when the commercial building goes up, when an individual home goes up, it has been inspected appropriately and that it has met the approval of those doing the inspection so that the risk of some unfortunate accident happening down the line is reduced drastically.

So that's what we have here. I see the work of the Red Tape Commission behind this. It still has some unelected people. I think my friend Frank Sheehan is still on the Red Tape Commission even though he is no longer the elected member for Lincoln. Some of the more right-wing members of the government caucus, ultra-conservative ideologues, some who are less charitable than what I would call them, are on this commission and making recommendations. I can't think of a minister over there who doesn't dislike the Red Tape Commission, if you really ask the minister to be honest with you. I don't expect them to rise in the House on a point of privilege or order at this time to talk about not liking the Red Tape Commission, but they are busybodies who are bothering ministers who themselves have a responsibility to carry



out their obligations under their own mandate. They don't need an overseer looking over their shoulder and making recommendations that would weaken legislation and regulations that affect individual ministries.

I really didn't like it when the government, for instance, privatized the inspection of amusement rides. That's been very difficult. One of my colleagues told me that a large percentage of the people who are doing those inspections aren't qualified to do those inspections if you look at paper qualifications and that there have been some problems there. I talked to an electrical contractor in my area who spoke about privatization in the area of hydro inspections and how now it costs him a lot more money and it is harder to get hold of somebody. That argument is exactly opposite to what I would have expected. I would have thought that if the government had consulted electrical contractors, they would have said, "Sure, privatize it; it'll be faster and cheaper." It's turned out in fact to be a more lengthy process, harder to get hold of the people to do it and more expensive. I think some other members have received calls in that regard.

I don't like the idea of an OMB appeal in here over site plan agreements. One of the last areas where municipalities can exercise some control over the ultimate appearance of a development is in the site plan agreement. You, Mr Speaker, I and many members of this House have sat on municipal councils. Those of us who had some experience in life before they were elevated to cabinet positions actually had to go through this process, I say as one who perhaps didn't have that municipal experience walks by. But it certainly opens one's eyes to that need. That is where municipalities can exercise some control.

I know there are people who can't wait for developments to take place. I read in the *St Catharines Standard*, surely the fount of all knowledge, that the Minister of Transportation, as he was then, now Minister of Labour, was going to help me save the farmland in Niagara region. I'll be looking forward to his public pronouncements, but more so the action of his cabinet in preserving that farmland. A lot of people want quick development and inspection to take place, because they can't wait to pave everything from Metropolitan Toronto to Fort Erie. Then I don't know what they'll do when that's all paved. I guess they have to double-deck it, because they say that you reach paradise only when it's all paved. They tell me, "The municipality has to continue to grow, and if it doesn't continue to grow, it doesn't continue to progress." I say, once you've paved it all and grown, then what do you do after that?

I see some bad examples of development being permitted at the present time, despite the fact I hear a lot about Smart Growth on the other side of the House. I'm looking at these darn—I'll use the word "darn"—big-box developments along the highway. You talk about wanting to preserve the downtown area. I would like to see the inspectors, because I want to bring it back to this bill, spend some considerable time, but be as expeditious and careful as possible at the same time, on developments in

the existing downtown area of a community. But all we do is move the commercial and some other business development outside the core to the periphery of our city. So you see Leon's along the highway. I've got nothing against Leon's—I'm told they've got some nice furniture in there—but there's a Leon's in the middle of nowhere, and then you'll have something else, another big-box store.

What does it do? There's not new people to buy the things from those commercial developments. They just simply move them out of the core of the city—or not even the core but the old suburban cores of the city—to the periphery. That is bad planning, it's stupid planning, but apparently some municipal politicians think it's bright; and they are not being reined in by a provincial government that cares about it. So my friend the member for Stoney Creek and I are going to go on this crusade to save the farmland and the farmers in the Niagara region and elsewhere in this province.

I am also worried about the amount of time that they would specify for approvals—eight days for houses and 20 days for larger buildings such as apartments—because what you require instead is additional staff, even if they're not permanent staff, to process this. I remember, when I was in government, there were those within government who wanted to, in a subversive way, subvert the Ministry of the Environment. They were proposing the same thing. I said that there was a solution: you simply had to have the appropriate level of staffing to do that. I'm not surprised that the developers support this bill, because I think it's going to speed up the process. I don't blame them for doing so; I simply think that public safety is something we should consider first.

#### 2040

The Association of Municipalities of Ontario has presented the minister with 33 changes that are needed to the bill. My colleagues in the Liberal caucus know the high regard in which I hold the Association of Municipalities of Ontario, and therefore we would certainly want to listen to what they would have to say about any piece of legislation and then give it the consideration that it deserves. I think we should do that in this particular case.

I guess my appeal to the government is to withdraw this bill, to change your mind, to forget about the Red Tape Commission causing angst for ministers and interfering in the individual ministries and simply try to assist municipalities in meeting their staffing obligations to be able to process developments. I don't want to see, as nobody else wants to see, a legitimate development, that has been passed duly and democratically, held up by unnecessary delays. That is not a goal I want to see. I don't want to see that happen, but I do want to see an appropriate level of inspection, and I don't think that can happen under the provisions of this bill. I know you will say the municipalities have the option, but I'm watching it all over. You're encouraging municipalities, in many cases, to privatize anything and everything they can, and in many instances the privatization has not been a positive experience for them.

But if we are to continue to proceed with bills of this kind at the behest of the Red Tape Commission and the more right-wing members of this caucus, which of course is the overwhelming majority of the government caucus these days, then the moderates are left behind. The moderates I can count on this hand are left behind in the government caucus.

I want to allow my colleague to complete remarks on this, but I make that appeal to the moderate, sensible people. The new Premier claims that—well, he will say anything, so perhaps if I were to ask him the question tomorrow he would say he would consider withdrawing the bill or that it's off the table. I would ask him to take this bill off the table, just as purportedly he has taken Hydro One's sale off the table.

**Mr Ernie Parsons (Prince Edward-Hastings):** I am particularly pleased to speak to this bill as part of my life experience in the past was training building inspectors. I should mention as an aside what impressive, dedicated groups I worked with over the years.

Bill 124—and it has a title. This government has a very creative department that puts together titles. We got access to an Enigma machine over the weekend, though, and we can now translate and interpret titles. It says "An Act to improve public safety." When they have the words "to improve" it means costs to the consumers are going to go up. I was pleased when the member for Oak Ridges said that the municipalities need to be prepared—I'm sure the other members heard it—to take on the additional costs. So "improved" means improved revenues for somebody and it de-improves revenues for the people of Ontario. "An Act to improve public safety" it says "and to increase efficiency in building code enforcement." "To increase efficiency" is code for privatization. Whenever you see those words, you know there's downloading and privatization taking place. It won't save anyone any money and it doesn't necessarily, and it probably doesn't, improve efficiency. But now that we know the code, count how many bills have those code words in them.

*Interjection.*

**Mr Parsons:** Member for Brant, you agree with that.

Remember, this is not a bill to deal with the building code. The government needs to deal with the building code if for no other reason than Ontarians with disabilities are extremely poorly served by this government's lack of attention. They passed this—well, the House passed the bill dealing with the Ontarians with Disabilities Act. The government has chosen not to proclaim it, other than the title and a couple of clauses in it, but they also need to recognize the practical reality that Ontarians with disabilities need building code revisions that reflect their needs for accessibility to buildings in this province. That's not being done. Even if they did it for commercial buildings, I think it's important to remember the government won't apply the Ontarians with Disabilities Act to private buildings such as shopping centres, stores, apartment buildings. It doesn't apply for Ontarians with disabilities where they shop, where

they live or where they work, but it does apply to city hall. I think that has been a major disappointment for Ontarians with disabilities.

*Interjection.*

**Mr Parsons:** It would be a privatized city hall. I am concerned that some day I'll click on eBay and I'll see Queen's Park listed for high bid and this will be privatized and they will hire Disney to put robots in here or something.

**Interjection:** Don't give them any ideas.

**Mr Parsons:** I know; they'd do it if they could.

There are certain fundamental services which when I talk to the general public they tell me belong in the public sector. They're safety issues, they're health issues, but we absolutely need to retain them. I spoke to the people in my community, as members have on both sides of the House. They say Ontarians value public health care, public hospitals. I say, "Yes, but are you aware that the province has privatized cancer care treatment in Ontario?" They value public universities. I'll say, "But are you aware that this government has already moved to allow private universities?"

Jails: to take and have the right to remove someone's freedom, to lock them up and remove them from society, should and must be done by the public. It must be done by government to have the accountability for that action. But the jails in Ontario are being privatized, so we're losing that.

Water supply: everyone in Ontario believes a safe water supply is a fundamental public service. But we've seen the testing and we've seen the problems associated with privatizing the water supply.

The public is extremely concerned that the electricity supply remain. The electricity supply is a fundamental service that just begs to be a monopoly service. It's most efficient to deliver electricity via a public service. We're seeing moves on that.

The public believes their police services and their fire services should be public and not private. I can go on and on about what has been part of the heritage of this province. I can assure anyone listening—probably not on the other side of the House, but anyone listening on this side or watching—that this is a safety issue. It may be purported to be efficiency, it may be purported to change the cost, but it is very much a safety issue.

I was going to say that everyone has had the opportunity, probably in school, to take some woodworking or some shops, but for the younger people watching, they're saying, "No, since 1995 the government has removed funding for shops," and so people don't have that opportunity to do the building themselves and get some sense of what's involved. But putting a building together, even if it's just a house, is a very, very complex issue.

The building inspectors, who at the present time are paid for by and work for the municipality, their obligation, and their only obligation, is to do the right job. It is important to them in terms of liability and it is important to them in terms of pride in their job that they do the right job. That may mean visiting a construction site once; that may mean visiting a construction site daily.



We're looking for a way to make it cheaper. That's what the title of this bill says, in code: they want to do the inspection cheaper. Nobody wants the cheapest fire services, nobody wants the cheapest police services and no one wants the cheapest building inspection.

There's something we need to think about, and that is that in our province I certainly hear, and I'm sure all of the members and I know municipal councillors hear, about the pressure from contractors who want to get the job done as quickly as they can. I can appreciate that. It is fundamental for them to stay in business that they make money on the project. But it is also equally important to remember that in our Ontario we very, very seldom have buildings fall down. Not all jurisdictions in the world can say that, but in Ontario it is a rare occurrence for a building to fall down.

The collapse of a building is catastrophic, not financially, although that is invariably the case, but because of the risk it presents to human life. A building is very complex, even if it is just a house, because you can look at a set of drawings and say, "Well, they're going to frame the walls with two-by-fours and they're going to close it in and they're going to put the windows in," and there's not that much to it. And here's a contractor who's done it 500 times or 5,000 times.

**2050**

Why would you need to inspect a contractor who's built a house 5,000 times? You may have the drawings and you may have the experience, but it is profoundly different for a contractor to be framing in a house at 25 degrees above zero or 25 degrees below. In Ontario we will often have contractors and skilled help on a project at 25 below in the winter. They're cold, they're miserable, they're doing their best, but it is much easier for a mistake to slip through at that time. So we need to have building inspectors who will go back.

This bill allows a municipality to hire a private firm to do that inspection. That alone has some risk, because that puts the pressure on to hire the low bidder. "We want the cheapest inspection firm we can get," says the municipality. That pressure is coming on them, because this government has downloaded ambulances and provincial highways to them and municipalities are under real financial pressure. So they're going to look at the cheapest mechanism they can get to deliver building services' costs, but they shouldn't have to. They shouldn't be put in the position of having to do it.

Even worse, if you look at the loopholes that exist in this, a large contractor could opt to choose a private firm to come in to do the inspection. It is somewhat complex in this province to determine the interrelationship between companies. Would it be in the interest of a large contractor to start up an inspection firm so that they then hire themselves? Well, there's precedent for that. In this province, under this government's regulations, if you want to apply for a permit to take water, you have to hire a firm to indicate whether that water you're drawing out to sell will have any affect on the water table or the water supply. But you can hire yourself to do it. We have examples of that where the company applying actually

wrote the impact report. And that was fine, the government accepted that, they had an impact report, even though it was from a firm that was clearly in conflict of interest because they were writing their own.

It is complex to inspect a house. That's a brand new house being built on a brand new site. Try to picture the difference if it becomes more complex than that. It can become more complex than that if you've got an existing house that someone wishes to do renovations to. Now, if you're going to be doing renovations to a house that's a century home, 100 years old and built out of stone perhaps, or bricks when we had very poor mortar, there's a far greater degree of involvement required to determine what exactly is the situation in that house and what has to happen to make the renovations safe, to determine whether that's a load-bearing wall or a non-load-bearing wall.

If you want to add an addition on to a house, you get the additional complexity of the soils underneath. You don't want the addition to the house moving in relation to the house itself. So this is a highly skilled profession. We're not looking for the low bidder.

I know there is an opportunity seen in this bill for some savings to go to people, because it says that the inspection costs will only reflect the true cost of the inspection. It can't be a profit centre for the municipality. I don't know that it is now, but they're certainly not getting rich off of it if it is. There's an opportunity to save some money, it appears, for the ratepayer and for the homebuilder, by saying, "You can't be ripped off on these." In fact, the province says that they have to call a public meeting if they want to raise these fees. They can set the fees to reflect the costs, find that the costs, in fact, aren't actual—they've got increases to cover—and they have to hold a public meeting for this.

Why in the world did this government single out this one little thing, that the municipality has to hold a public meeting to raise inspection fees? This government, through various means, has implemented 976 user fees. Sure, they talk about tax cuts, but they've implemented user fees. I don't recall—and perhaps the other members can enlighten me—one single public meeting when these implementations fees were slid in.

There's a wonderful openness in this government when it doesn't affect them, if it only affects municipalities. This is a government that is tough on victims and tough on municipalities. That's unfortunate, because I believe the government should meet the same standard that they're forcing on municipalities. I also believe in elected municipal councils that will do their absolute best, because they're accountable and the building inspectors who work for them are accountable. But if we privatize it, and that's where this bill is going, then the public loses that accountability.

Now, they're saying that there should be probably—and they won't define the dates in here, and that's unfortunate—they're saying about eight days should be the turnaround time to apply for a permit and get it. Well, as I mentioned a couple of minutes ago, eight days may

not be feasible if we're talking renovations to an old building, if we're talking additions to another building.

The other aspect of it is major buildings, something like the Toronto-Dominion Centre in Toronto. They're saying 20 days is probably a good time to do that review of the drawings for it. I'd suggest that's nowhere near enough time.

This government's motto could at times be, "Never time to do it right; always time to do it over." I'm not interested in getting the permit turned out in 20 days; I'm interested in the permit being approved when we have every assurance that that building meets the code.

The other problem with this mad rush to say it has to be turned around in 20 days is that we're a leader in building science in Ontario. We want to encourage some innovation. We want to encourage new materials. We want to encourage new techniques for construction. We want to encourage new designs. If you want to encourage those new designs, you must allow time for the inspectors to review them, because if they're literally new designs, there's probably going to have to be some consultation and some back and forth action to say, "What were your design loads? I'd like to see your notes on this particular aspect and how you calculated it." Because a lot of design for buildings is guess. We know what the weight of the buildings is, but we don't know exactly what an earthquake would do with it or exactly what a tornado would do with it, so we need to allow for it.

This is a bill that, like so many others, removes the building inspection, removes another facet of public services from public scrutiny, and we will be faced with privatization and no accountability. The accountability will be the shareholders of that company again. The pressure will be: keep the costs down; keep the profit up.

I don't want to be a party to a building collapse or failure in this province, and I really don't believe the government wants to either. So let's get realistic and say that this is a major safety issue. If we're putting up a 50-storey building, safety is the number one concern, not low inspection cost and not quick approval. The number one concern is safety.

I cannot support this bill, because once again we're taking good inspectors and putting their jobs at risk to go to a low-bidder process.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Prue:** I listened to the four previous speakers, from Essex, York West, St Catharines and Prince Edward-Hastings. I must say that they had a very good number of comments and a very effective way in opposition, as is their job.

They talked, I think, most carefully and most succinctly about safety issues. They talked about what privatization will do to the safety and security of buildings that are being built, everything from large 50-storey units, apartment buildings, to industrial sites, to people's homes, even to, I would dare say, patios in a backyard.

They talked about the municipalities, and in fact I think the speaker from York West said the delays in municipalities are largely not the fault of the bureaucracy

or the building inspectors but in reality—and I will concur with that when I get a chance to speak myself—are the problem of the applicants themselves in not putting forward proper documentation and having to go back repeatedly in order to get the process to work.

They talked about the weakening of regulations. Surely if anything is going to happen here it is the regulations by which people, when they are building a structure, need to have security, because structures are intended to last, much like this building, for 50 or 100 or 200 years. If they are built correctly and if people have faith in them and if the building inspector has done his or her job right, they in fact will last.

They talked about the impossibility of the time frames that are in this law: eight days for a house and 20 days for a larger structure. That is an enormously complex, tight time frame for any building inspector, whether private or public, to get his or her head around this. It is, I would state—and I'm going to speak to this too—an impossibility that they have very clearly recognized.

They have talked about the need for public hearings with the Association of Municipalities of Ontario, and I commend the four speakers for bringing this forward.

**2100**

**Mr Dunlop:** It's a pleasure to rise this evening to speak on the regulatory reform legislation, Bill 124. I appreciate the fact that the minister has brought this forward, and it's interesting to listen to the comments here this evening.

I have to tell you, I spent a number of years not only in construction but also in municipal politics, and I understand the issues that surround building inspection in general. But I would have to say, from my experience, that most of the building inspectors I've seen across the province basically have improved over the years. They do a great deal of work and do quite a satisfactory job of the inspections.

**Mr Bradley:** Why did you fire them?

**Mr Dunlop:** Here we go again. The member from St Catharines is chirping away like some kind of little bird over there. He doesn't know what the intent of the legislation is.

This is an opportunity for municipalities to bring in outside help at different times, to actually work with the municipality on catch-up projects. The economy has been so busy over the last four or five years, since 1995 when we turned the province around. Basically there has been a lot more work taking place and inspectors have a hard time keeping up with the work. It's a real opportunity for municipalities to look at outside sources to help them along in some of their projects.

It has been going on for years. If we look at any of the sewer and water projects that municipalities do across the province, the private companies have to pay for the municipal inspections as well as their own superintendents to look at these projects. It's not something that's new. It's an opportunity to help the municipalities and the contractors speed up projects and make sure that we deal with the province's building trades and public safety and security measures around the province.



**Mr Dave Levac (Brant):** I would ask members of the government side to mark carefully the words that were offered by the members from York West, Essex, St Catharines and in particular Prince Edward-Hastings, my seatmate over here, from his professional life before politics as an engineer who trained building inspectors and as someone who actually built buildings of this nature. I think his words should be heeded quite clearly.

I want to bring back some of the things that were said. If you will notice on the other side, the words "quickness" and "speed," allowing municipalities to move it along, are words that scare me a little bit, because I think the word "Walkerton" should ring a bell in terms of the efficiency with which these things were done.

Again, we have another opportunity for the government to step back and say to themselves, "You know what? We really do recognize that the municipalities have been looking for efficiencies and ways to remove their service to the builders and developers, but they've never relinquished their ability to slow things down when they felt something was amiss." I think the words "quickness" and "speed" should be eliminated from the discussion and we should start talking specifically about safety and standards.

I refer us to the TSSA, the Technical Standards and Safety Association. When I asked for a response for one of my constituents, I got a letter from a minister on the other side that basically took pride in announcing the fact that up to 50% of those inspectors of amusement rides were certified to do the job—up to 50%. That was the pride with which the minister wrote this letter. I say shame on the government for saying that 50% of those inspectors are not certified.

What I'm very deeply concerned about is that the words of the member from Prince Edward-Hastings are not being taken seriously enough to recognize that a review should be done of this process for safety, and safety alone. I commend my colleagues for bringing that to the government's attention.

**Mr Bisson:** I find myself in a bit of an odd situation here with this particular bill, because one part of me says, yes, I want to find a way to be able to speed up the process of accepting building plans and any amendments that need to be made to them, anything from electrical permitting to building code permitting or whatever it might be when it comes to the construction trades. I worked in the industry and I understand from the practical sense of having run fairly large construction jobs that that can be a problem.

I commend the government for trying to find a way to get around this one, but I'm a little bit troubled by the approach of the RCAs. They want to put together these registered code agencies so that if the municipality feels it cannot live up to doing the job, the municipality would then sort of privatize their building inspection department, I guess to an extent, for these registered code agencies to go out and do the job of approving projects.

Having worked in the trade, I could just imagine, for example, if I'm the guy who's running the job and I need to have something approved, I'm going to try to deal with

the registered code agency that is going to give me the least trouble. After all, I don't need trouble on the job site. I just want to get this job done and make sure that I bring it in at the lowest possible cost in order to make the highest amount of profit for the contractor I'm running the job for.

So if I'm the engineer or I'm the superintendent on the site, I'm going to go out and make sure that I deal with a registered code agency that is going to be conducive to being friendly to the contractor and to the engineering firm. I see that as a real problem, because you could end up with jobs that are being done that probably don't measure up.

On the one hand I want to support the government in its attempt, but I see this riddled with all kinds of trouble. I'm sure my good friend Michael Prue, from East York, will get an opportunity to talk about that a little bit later, but when it comes to my part of the debate, I'll give you some examples of why I think this wouldn't work.

**The Deputy Speaker:** The official opposition has up to two minutes to respond.

**Mr Crozier:** It's a pleasure for me to respond on behalf of my colleagues from York West, St Catharines and Prince Edward-Hastings and to the comments of others who have listened to our debate this evening and have had some words to say.

In summary, I'd like to point out that we can talk about improvements, we can talk about efficiency, and a great deal was said about liability of these registered code agencies. But I think my colleague from Prince Edward-Hastings brought out one point succinctly, and that's accountability. As I said in my remarks, when it comes to the application of the building code, no matter how quickly or how efficiently you do it, in the end what our constituents want—and that might be individuals building homes or it may be construction companies which work on larger projects—is accountability. Down the road, when something isn't right, they want to be able to look to the municipalities to help them solve their problem.

What does this bill say to that? There is immunity from what these registered code agencies have done. The crown, a municipal corporation, a county corporation, a board of health, a planning board or a conservation authority is not liable for any harm or damage resulting from an act or an omission by a registered code agency or by a person authorized by a registered code agency.

What that really means is, if this registered code agency goofs up and they don't have the wherewithal to support it down the road, you're simply out of luck. So accountability is very important in this legislation.

**The Deputy Speaker:** It is now time for the leadoff speech of the third party.

2110

**Mr Prue:** This is a complex issue that I think is going to require a great deal of debate, not only here tonight but in committee in the future. I am very heartened to see that the Association of Municipalities of Ontario wants some additional input on this and I think some additional input would be required.

It is easy to understand the philosophy of this government. It is easy to understand where their head is at in coming out with legislation like this. It is quite obvious to me that this bill is intended not only to speed up things but also to privatize and make it more costly, not for themselves and not for this government, but for the municipalities and potentially for the people of the province.

I came to this august chamber, just some eight months ago, from a municipal background, 13 years in municipalities in the Toronto area. During those 13 years as a councillor, as a mayor and then as a councillor in the megacity of Toronto I lived through all three parties. I was first elected during a Liberal government, then through an NDP government and finally through a Conservative government. In all those times you could see the very subtle hands of what was happening to municipalities and around the building code.

I'd just like to draw to the attention of some of the members who have not had the opportunity in the past to have been municipal politicians or to have a hands-on with the building department exactly what happens in those municipalities.

Some would say, "Look at East York"—of which I was the mayor—"What a small municipality." In fact, it was the 18th-largest municipality in Ontario out of the 680 or so that existed at that time. We were members of what was called LUMCO, the large urban municipalities of Ontario. When the mayors got together we spoke with some authority from the largest municipalities, some 25 in all, which had more than 100,000 people. We saw what happened in the building codes in all of those municipalities and had many, many discussions on the building codes and the effects they had on our individual municipalities. In large measure, they were all very much the same.

What happened in the building codes was that there would be spikes. The spikes invariably would occur in building permits, in issuance and application, in the months of May, June, July, August, September, and then they would tail off. So if people came in and were looking for a building permit, if they came in in May, June, July or August, they could expect longer delays than if they came in at other times of the year.

In fact, all of the municipalities had this problem. The problem they had was how to staff for the peaks. In fact, most of them could not afford to do so. With the passage of this bill, nothing will change. They cannot afford to staff for the peaks. They cannot afford to staff for the summer months, when the building permit applications go up and the expectations of the public go up. They can afford to staff at a level which is halfway between what one might expect in the early spring or late fall. In the wintertime there is virtually no activity at all, where they invariably get caught up. This causes some consternation, it is agreed, with all people who are applying for building permits. They do not understand why it takes four or five or eight or 10 weeks in the summertime. Those who have the foresight when building a new home, when building an addition, when even putting together the plans for a backyard patio, to apply in

December, then invariably that application is met, usually within the eight or so days that is being discussed here today.

So the problem I see here is that the government is looking at the peaks and is seeking to privatize or to contract out or to force the municipalities to do that in the summertime months, and they're not looking at the long term of what the municipalities are able to do throughout the year.

The second thing we are looking at here is that the public employees who are building code specialists, most of whom have spent their entire career lives working for one municipality or another, are professionals, absolute professionals, whose job it is to go through and to understand the minutiae of the building code. It is an extremely thick and difficult document for lay people to understand. I think it is even too difficult for most of the people in this room, including possibly myself, to know in detail. But these bureaucrats do know it in detail and they know where the key aspects are to preserve the public safety of every little building, of every backyard.

As was said here today, we have an enviable record in this province, an absolutely enviable record, that our buildings do not fall down. In fact, our backyard patios and our backyard decks do not fall down either. I remember speaking to people who were building a deck without a permit, and when the building inspector found out and came along and stopped them, he or she usually stopped them for good reason: because they did not have concrete footings, which are required by law, or because the spaces of the planks were too far apart, or for some reason that was involved in safety. He or she was protecting them, not penalizing them. I dare say that it would be very difficult for people who are brought in and who have their salaries paid by those who are building—albeit with their own interests in mind, perhaps not to the specifications set out in the building code—to insist on those minutiae.

Whether that speeds up the process or not I would take to be secondary. What is more important is that it preserves the public safety.

Then you have the dedicated men and women, and I'd like to deal with them for a moment. Each municipality has wonderful building inspectors. I have never met one from any municipality—be it large or small, the building inspectors in all of them are dedicated and understand their job. They are as efficient as the law allows them to be without compromising public safety. They take their time. The member for Bramalea-Gore-Malton-Springdale—I think I got it all right—chastised me a little when I talked about taking one's time to do the job right. This is a job that cannot be done slipshod, it cannot be done too quickly. The consequences are disastrous if one does not look carefully at the electrical wiring in a new house and the house catches fire. Families could die.

We saw an example of a large-scale fire just yesterday or the day before yesterday in East York, just outside the riding boundary, actually in Marilyn Churley's Toronto-Danforth riding, in which six homes were destroyed. The fire marshal is investigating that. I don't know what



caused the blaze; those were older homes. But I do know that blazes can be caused by faulty wiring or any other number of structural components that a building inspector or who goes on the site would be able to catch.

But then we have the success of court challenges, and I haven't seen anything in the bill about this. We all know that people will build contrary to the code. We also know that people will build contrary to the official plans and to the zoning bylaws. It is the building inspectors who catch these infractions. We know that houses are sometimes built too high or too close to the lot line. We know that inferior materials are used, as in the case of Donmount Court, which is now having to be torn down. We know that all kinds of things are cut by contractors who are either in a hurry or are attempting to save money. It is the building inspectors who see this. The homeowners need to be protected, and not only the people who are building and not only the homeowners themselves who are building or the contractors, but future people, because houses do change hands. When you buy a house you always have to look at caveat emptor, you always have to say "buyer beware," but you can't tear down the walls to see what's inside; you can't tear out the guts of a house to see whether the building was properly inspected. You have to trust that the person who inspected it five or 10 or 15 or 50 years ago did his or her job correctly. How can you do that, how can you say that when that person is no longer around, when that company may not exist? But you can do that and you can say that when you can go back to the municipality. Even if the employee is not there, the municipality has put their seal on it, and that is important for people who are buying a resale house to know.

This is another point that the government is trying to make, that this will speed up the process. Municipalities that are properly charged or hold it deep in their heart can do what is necessary to speed up the process. It can be costly and it has to have everyone in the municipality working together to take resources from one area and to put them in another.

In the former borough of East York, when I was mayor, we made a conscious commitment to the municipality and to all of the people coming there that any industrial-commercial or multiresidential building that was built would be approved through zoning, through the official plan and to a building permit issued in 90 days. It was the fastest turnaround in the GTA. We did it on purpose, because we were convinced that this would bring builders and developers and business people into our community at a time when we desperately needed them. This was in the years 1993 through the end of 1997. This program was so successful that we were literally the only municipality in what was then Metropolitan Toronto to actually attract industrial development in the recession of 1990 to 1995. The only buildings that were built, the only industrial space that was built was in East York. When you ask the man today why he came to us and not to North York or to Scarborough, which had more industrial land and cheaper industrial land, it was

because we were committed to a process which the Conservative government is saying is the nub of this bill. You need to give the incentives to the municipality, not the private RCAs.

2120

You also start with the premise, which I want to talk about for a few minutes, that doing it privately is no different or in fact in some cases can be better than doing it publicly. I want to tell you that whenever this is tried or whenever a fair assessment is made of both, it is usually the public enterprise that comes up being the better; not only the better but the cheaper, not only the cheaper but the more reliable.

I give you the example of the great experiment in East York. This is going back a number of years now, to the end of 1993, when we had a huge decision to make. Our equipment for collecting garbage was very old and we had to determine in the middle of a recession whether to buy new equipment or to contract it out. After a huge debate, in the wisdom of the council, on a 5-to-4 vote, it was decided to contract out half of the garbage collection in one-half of East York for 52,000 people, and for the other 52,000 to leave it in public hands.

It was a classic experiment, and people should read about that experiment and what happened. The reason we decided to contract out half of it was because we had union contracts on the one side which would make it difficult to do all of it, but on the other side we were a little reluctant to go from a system that had worked very well for 50 years, to wholly turn it over to private enterprise and to be at the mercy of that private enterprise if anything went wrong. So we went into the great experiment and we did half and half on a three-year basis.

We contracted it out to a company called Laidlaw, which unfortunately I think has since had some financial troubles. It went bankrupt. That's probably because they undercut everyone so much in East York to get the contract that in the end they ended up losing money. But I will tell you, we had half and half.

In my first year as mayor, in my first week as mayor, 300 complaints came in on the contracted-out side from those who lived in the western end of East York and in the Leaside area, versus one complaint on the public side. That was the first week.

**Mr Bisson:** Three hundred to one.

**Mr Prue:** Three hundred to one. And after that, I have to tell you, to be fair, the number on the private side went down but never once was less than 10 complaints per week. The public side was never greater than one complaint per week for the entire three years of the operation.

But that was not enough, because there were those who argued that the private side would save us money, and in fact it did. In the first year it saved us money. They undercut by so much—they paid their workers less than our workers, they had new trucks, they had a four-day workweek, they had routes that would accommodate the collection from 7 in the morning until 7 at night, some 12 hours—and in the first year, they did in fact save the borough of East York money.

But the workers got together with the management and the bureaucracy, they fought back and they adopted the same thing on the other side. They wanted to be competitive. They got new trucks, they got new routes, they got four 10-hour days that the union agreed to, and at the end of the second year they were exactly the same in cost; more complaints privately but the same cost and less complaints publicly, which we were starting to think was a pretty good deal.

By the end of the third year, because their contract had an escalating clause in it, the public collection was cheaper and without complaints. It was cheaper, it was more efficient, it was better. At the end of the third year, by then East York having been amalgamated, the city of Toronto decided it was no longer in the public interest to contract it out because the public employees could do it better, faster and without complaints. The people were secure. The people understood that if something went wrong, they could pick up the phone, phone the supervisor of the public area and it would be fixed.

The people in East York today blessedly do not have a private contracted-out garbage service. The complaints, I'm given to understand from the local councillors, are again down to zero in all areas.

It has taught me a great lesson which I hope the members opposite will listen to. That lesson is that whenever possible these types of duties should be left in public hands. The employees know the public with whom they are dealing, they know the job they are doing, and if they have a good bureaucracy, a good management system, a good reporting system and the equivalent of equipment of private contractors, no matter whether it's in garbage or under the building code, they can do the same job, they can do it better and they can do it more cheaply. If it is the intent of the government to do that, then I would suggest that you give the incentives to the municipalities to allow the jobs to remain contracted in. This will be no panacea for the government. This will not allow the government or the municipalities in the end to save money. It will end up costing them money, just as surely as what happened in East York with the garbage collection.

To be fair, though—and perhaps what some of the municipalities need is a little shakeup—what this did in our municipality is it shook up the bureaucrats, it shook up the people in senior management, to look for ways to be more efficient. They looked for ways to cut red tape, to cut costs and to make sure that things were being done. But it did it with their solution, not with a government-imposed solution, not with a political solution, but one in which the workers and the management embraced the same philosophy. That's what I'm asking the government to consider in this bill: changes to the bill that will allow the municipalities to work together with their existing workers, to work together with their existing management to find alternatives, not to impose a contracting-out

or an RCA solution or something which invariably will not work.

There are options to this bill, there are absolutely options, but I would suggest to you that the options being suggested are not real. It allows people to choose their own RCAs. It allows them to choose them knowing full well that if you go around to friends or developers or others you know and say, "I need an RCA. Did you have any problem with that guy? Was he able to cut corners? Was he able to do it fast? Did he give you any lip? Did he look at the minutiae? Did he turn a blind eye?" if the answer is yes, that's the guy you're going to go out and get, whether you're a local small business person or whether you are a developer.

One will always go, for a couple of reasons, to those who are the cheapest, whether or not they're the best. I challenge anyone, if you need your house painted, do you pay the guy who gives you the highest quote or the guy who gives you the lowest quote? In the end, you have to ask whether or not you've got the same level of service, whether your house was painted properly or wasn't painted properly. I will tell you that people will choose on the basis of cost and will get people who are not as good, and they will also choose on the basis of where they think they are not going to get any hassle, where they're going to get a signature without question and where it's going to be done quickly.

There is also the very real panacea that is being proposed here that there will be no waiting time. With the greatest of respect, no inspector is going to be able to do something in eight days or in 20 days if there are problems with the application itself. How many people would put in an application without including the pertinent details, without including everything that is in a developable property, without putting in whether they're steel beams instead of wood beams, without putting in the kind of insulation or drywall, without putting in the floor space index or how far the house is from the property lines, whether it meets the side yard, the front yard or the height setbacks? All of those things are something that only building inspectors who know what they're doing can look for.

I will tell you, if you don't insist on this, there will be many, many difficulties within all of the municipalities, with people passing houses that are being built too high, too close to the neighbours' backyards. It will spawn a whole area of complaint, it will spawn a whole area of litigation and it will spawn some considerable difficulties and angst for people who have become quite comfortable in their own neighbourhoods.

Mr Speaker, is it almost 9:30? I will continue tomorrow, and I thank you very much.

**The Deputy Speaker:** Thank you. Your timing is impeccable. It being 9:30 of the clock, this House does indeed stand adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 2130.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Brant	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac- Lennox and Addington	
Burlington	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
	Hoy, Pat (L)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Ruprecht, Tony (L)	Kenora-Rainy River	Gerretsen, John (L)
Chatham-Kent Essex	Caplan, David (L)		
Davenport	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Wetlaufer, Wayne (PC)
Don Valley East / -Est	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Don Valley West / -Ouest	O'Toole, John R. (PC)	Kitchener-Waterloo	Beaubien, Marcel (PC)
	Colle, Mike (L)		<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Dufferin-Peel- Wellington-Grey	Peters, Steve (L)	Lambton-Kent-Middlesex	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Lanark-Carleton	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Durham	Crozier, Bruce (L)		Wood, Bob (PC)
Eglinton-Lawrence	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	Leeds-Grenville	Mazzilli, Frank (PC)
Elgin-Middlesex-London	Hastings, John (PC)		<b>Tsoubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Erie-Lincoln	Kells, Morley (PC)	London North Centre / London-Centre-Nord	
Essex	Lalonde, Jean-Marc (L)		
Etobicoke Centre / -Centre		London West / -Ouest	
		London-Fanshawe	
Etobicoke North / -Nord		Markham	
Etobicoke-Lakeshore			
Glengarry-Prescott-Russell			

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



## STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉ S PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Ted Chudleigh, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, Norm Miller,  
John R. O'Toole, Steve Peters  
Clerk / Greffière: Susan Sourial

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, John O'Toole,  
Gerry Phillips, Rob Sampson, Joseph Spina  
Clerk / Greffière: Susan Sourial

### **General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Président: Norm Miller  
Ted Chudleigh, Marilyn Churley, Mike Colle,  
Garfield Dunlop, Steve Gilchrist,  
Dave Levac, Al McDonald, Norm Miller  
Clerk / Greffière: Anne Stokes

### **Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Michael Gravelle  
James J. Bradley, Leona Dombrowsky, Michael Gravelle,  
Bert Johnson, Tony Martin, Frank Mazzilli,  
Wayne Wettlaufer, Bob Wood  
Clerk / Greffière: Donna Bryce

### **Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Vacant  
Toby Barrett, Marcel Beaubien, Michael Bryant,  
Garry J. Guzzo, Ernie Hardeman,  
Peter Kormos, Al McDonald, Lyn McLeod  
Clerk / Greffier: Tom Prins

### **Legislative Assembly / Assemblée législative**

Chair / Présidente: Margaret Marland  
Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Caroline Di Cocco, Jean-Marc Lalonde,  
Margaret Marland, Julia Munro, Marilyn Mushinski,  
Michael Prue, Joseph N. Tascona  
Clerk / Greffière: Donna Bryce

### **Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Bruce Crozier  
Bruce Crozier, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Richard Patten, R. Gary Stewart  
Clerk / Greffière: Tonia Grannum

### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

### **Alternative fuel sources / Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

## CONTENTS

Monday 3 June 2002

### SECOND READINGS

#### Building Code Statute Law

##### Amendment Act, 2002,

Bill 124, *Mr Hodgson*

Mr Hodgson.....	579
Mr Kells.....	581
Mr Klees.....	582, 588
Mr O'Toole.....	585
Mr Sergio.....	587, 590
Mr Prue.....	587, 596, 598
Mr Gill.....	587
Mrs Dombrowsky.....	588
Mr Crozier.....	588, 597
Mr Bradley.....	592
Mr Parsons.....	594
Mr Dunlop.....	596
Mr Levac.....	597
Mr Bisson.....	597
Debate deemed adjourned.....	600

## TABLE DES MATIÈRES

Lundi 3 juin 2002

### DEUXIÈME LECTURE

#### Loi de 2002 modifiant des lois en ce

qui concerne le code du bâtiment,

projet de loi 124, *M. Hodgson*

Débat présumé ajourné .....600





No. 14A

N° 14A

ISSN 1180-2987

Legislative Assembly  
of Ontario

Third Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

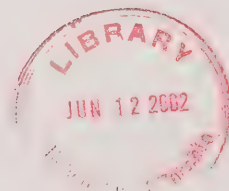
Troisième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 4 June 2002

Mardi 4 juin 2002



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

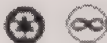
L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 June 2002

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 juin 2002

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EDUCATION FUNDING

**Mr Dominic Agostino (Hamilton East):** I rise today to inform the House of the crisis in education we're facing in the city of Hamilton. Last night the Hamilton board of education announced that it is facing a \$16-million deficit. This would mean fewer teachers, cuts in special education, cuts in textbooks, larger class sizes and more school closures. For example, in the riding of Hamilton Mountain, represented by my colleague Marie Bountrogianni, six schools are under review for closure, as are a number of schools in my own riding.

This is the result of the flawed funding formula that has forced boards not only in Hamilton but in Ottawa, Toronto, Sudbury and right across this province to make the decision to simply risk everything by saying to this government, "We are not going to go along with this. We can't continue to operate schools with this funding formula that you have put in place and make the types of cuts that are going to be devastating to students."

I urge this government to adopt the plan introduced yesterday by my leader, Dalton McGuinty. This plan would mean additional help for students who are having curriculum problems, extra help for students with special needs and a moratorium on school closures until the funding formula has been reviewed.

I ask the Minister of Education to meet immediately with the Hamilton board of education. I ask the Minister of Education to give us the additional funding we need to ensure that these boards across Ontario will not continue to face this crisis we're in today. If this government immediately adopted the plan outlined by my leader, Dalton McGuinty, it would go a long way toward easing the situation.

Schools can't wait till November, till next year. We need help now from this government.

#### EDUCATION PROGRAMS

**Mr Rosario Marchese (Trinity-Spadina):** I want to draw the attention of Ontarians to particular programs called the international language program and the African heritage/black cultural program. They have been going

on in the Toronto board for about 20 years, and the international language program has been going on in the Catholic school system as well for the same number of years.

International language programs teach third languages, a language other than English or French, which in our view is critical. Chinese, Vietnamese, Spanish, Portuguese, Italian, Farsi, Gujarati, Hindi and a multitude of other languages are being taught in our school system. But the board of education here in Toronto and the Catholic system don't have enough money to keep these programs on the go. In fact, in Toronto they're on the chopping block.

The African heritage/black cultural programs get no money at all from the provincial government. That means the board is doing this on its own. It has to cut \$90 million in order to be able to comply with this government's laws. Without \$90 million, these programs, which are so valuable, won't be able to exist. They're good socially, pedagogically and in every way imaginable, including economically. In a global village, we become more competitive with languages.

You've got to insist the government give the money to the Toronto board to keep those programs alive.

#### NOEL CATNEY

**Mr Joseph Spina (Brampton Centre):** We're not here today to talk about vintage wine. I'm pleased to stand today in recognition of Noel P. Catney, chief of Peel Regional Police, who was among 23 other Canadians recently presented with the Officer of the Order of Merit of the Police Forces on May 17 at Rideau Hall by the Governor General.

This was the inaugural investiture of this award, approved by Her Majesty the Queen. It was implemented in October 2000 to recognize conspicuous merit and exceptional service by members and employees of Canadian police services whose contributions extend beyond protection of the community.

I don't think there could have been a more deserving recipient than Chief Catney. Chief Catney is a renowned proponent of community policing. Under his leadership, Peel Regional Police have introduced and expanded a number of programs such as pure patrol, youth education, bike patrol and cybernetics, just to name a few.

Chief Catney, a long-time resident, has been involved with several charities and community groups and recently was recognized by the Brampton Rotary Club in 1999 by

receiving the Paul Harris Award for the support he's given the city of Brampton over the years, a rare achievement for a non-Rotarian.

Please join me in recognizing Chief Catney in receiving this outstanding award for dedication, wisdom, vision, determination, perseverance and compassion.

#### INJURED WORKERS' RESOURCE CENTRE

**Mr Michael Gravelle (Thunder Bay-Superior North):** It's been a pleasure and an honour for me to have worked closely with the Thunder Bay and District Injured Workers' Resource Centre for the past several years. This is an organization that has been remarkably dedicated to the cause of injured workers in our region. It is my firm belief that their efforts at promoting the prevention of injuries in the workplace has been nothing short of remarkable.

The provincial government should be enormously grateful for the work they have done. Yet it appears that the province no longer supports the work they do. By cutting off the small amount of funding they received to run their office in Thunder Bay, the government is tossing aside a resource that provided a real benefit, not only to injured workers but to everyone in the workplace.

Certainly, it's not too late to fix this mistake. In speaking with Labour Minister Clark about the meagre amount of funding required to resurrect this service, I got the impression that he acknowledges the value of the work they do. What appears to be at issue is who should cover the small costs involved. Should it be the labour ministry itself or the Workplace Safety and Insurance Board?

**Interjection:** Who cares? Give them the money.

**Mr Gravelle:** Exactly. Regardless, this is an organization that must be funded. Minister Clark must take a leadership role to see that funding is restored. We need the expertise of the resource centre to help our injured workers navigate the complexities of the WSIB. We need the selfless dedication of their staff and countless volunteers to ensure that workplace safety becomes and remains a priority for all employers.

Minister, we cannot afford to lose this extraordinary group of people to a foolish cost-cutting measure that will ultimately do nothing more than seriously damage all our efforts to prevent workplace injuries and fatalities.

#### TOURISM IN NORTHUMBERLAND COUNTY

**Mr Doug Galt (Northumberland):** I'm sure all of the members of this House are anxious for some good weather so we can get out and explore this great province of Ontario.

The provincial government is working hard to ensure bright, sunny days ahead, particularly for the big tourism months of July and August. However, as you know, weather is a federal responsibility. We're working hard to

convince the feds to do their part to ensure that we have good weather for a successful tourism season.

I encourage the members of this House, the people of the province of Ontario and the people of our bordering states to come and enjoy what Northumberland county has to offer. In my riding you will find everything from historic towns and villages, to great fishing camps on Rice Lake with unlimited panfish, to well-known tourist attractions such as the Big Apple at Colborne and Port Hope and Cobourg's historic town halls.

In Northumberland county, we pride ourselves on offering a warm and welcoming experience for tourists. We have wonderful bed and breakfasts, quaint hotels, charming resorts and great boating on Lake Ontario and the Trent-Severn waterway. Our county towns and villages offer a range of fairs and festivals that are not to be missed.

To get more information about tourism in Northumberland county, why not visit our tourism Web site at [www.northumberlandtourism.com](http://www.northumberlandtourism.com) or request your copy of the Northumberland tourism guide, available at the county office.

1340

#### SENIOR CITIZENS

**Mr Mario Sergio (York West):** June is dedicated to our seniors, and yesterday the minister responsible for seniors made that acknowledgement in the House. The minister, while reflecting on various seniors' contributions, failed to recognize and address the real needs of this large group in our society.

The actions of this government cannot be guided by the principles of dignity, independence, fairness and security when our seniors are neglected and deprived of the most basic needs, like one bath a week. Do we call this giving seniors dignity, being fair with our seniors? Providing long-term stability for our long-term citizens has to be a real priority for this government.

As it is acknowledged by the minister, we now have some 1.5 million seniors, and by the year 2041 a quarter of Ontario's population is going to be over the age of 65. "The needs of our growing seniors' population are a priority for us," said the minister. How can we take this government seriously when it fails to recognize that we have some 15,000 seniors waiting for a bed? How can we believe this government when they changed the rules, making it even harder for seniors to remain on a waiting list? The new rules as of May 1 of this year say, "Take the first available bed or you're off the list for six months." Is this peace of mind for our seniors and their families, or is it adding more anxiety and stress?

Let me tell the government and the minister that announcements alone won't do it in this House. A solid commitment will. I ask the minister and the Premier to rise and do it today.



## STRATFORD FESTIVAL

**Mr Bert Johnson (Perth-Middlesex):** I rise today to tell my fellow members of the opening of the Stratford Festival's 50th season last Monday.

This year's festival opened with All's Well That Ends Well, the very first play performed at the festival in 1953. Since the first performance under a tent, the festival has grown to three permanent theatres, with a fourth opening in July.

*Interjection.*

**Mr Johnson:** I don't mind the opposition heckling; I hate it when my own members do.

The festival, which sold more than 600,000 tickets in each of the last two years, now generates 6,000 jobs and \$346 million in economic activity for southwestern Ontario.

I am proud of this government's recent contributions to festival projects like the renovation of the Avon Theatre and the creation of the Canada at Play series. However, I am equally proud to say that the festival is almost entirely self-sustaining, with 96% of its revenue coming from ticket sales, sponsorship and fundraising and only 4% coming from government funding.

I was honoured to be joined at the opening by Deputy Premier and Minister of Education Elizabeth Witmer, Chair of Management Board and Minister of Culture David Tsubouchi, and Minister of Enterprise, Opportunity and Innovation Jim Flaherty, as well as Ontario's Lieutenant Governor, the Honourable James Bartleman.

I encourage all members of this House to visit Stratford this summer to take in the festival and enjoy some of the local restaurants and shops.

## TELETHON

**Mr Richard Patten (Ottawa Centre):** I'd like to salute today the many volunteers at the Children's Hospital of Eastern Ontario and the citizens of eastern Ontario as a whole who showed their support for the hospital this past weekend during their telethon. The total raised was almost \$3.6 million. That's a 3.6% increase over last year's telethon. In a 24-hour period, CHEO raised, on the telephones alone, over \$625,000. This comes from the community of eastern Ontario, from individual donations and pledges and events. They know the value of the services of CHEO.

It's important to understand that all of this money was raised even though the government has jeopardized the pediatric cardiac surgery unit. Donations in fact increased. People turned out in support of CHEO.

Ryan Williams, who is 13 years of age and the CHEO Champion this year, started off his day at a rally in support of CHEO with over 2,000 parents saying to the government, "Keep the cardiac unit where it is." Ryan knows the value of CHEO. Ryan says CHEO is like a second home. He has undergone 29 surgeries in his short lifetime. Ryan's story is just one among many stories we heard over the 24-hour period.

I had the pleasure of answering phones for over three hours during the telethon. We heard from people from Pembroke, Kingston, Cornwall and Arnprior. Calls came from all over eastern Ontario. It explains why the hospital once again was able to increase year-after-year donations.

Residents in eastern Ontario are united in keeping the pediatric cardiac surgery unit at the Children's Hospital of Eastern Ontario.

## BILL WILKINS

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** On Saturday, June 2, I attended the funeral service of Barrie firefighter Bill Wilkins.

Bill was the youngest of four children born to Barbara and Bill Sr. Bill was hired by the Barrie Fire and Emergency Service in January 2000. This began his full-time employment in fire services and fulfillment of his lifelong goal. Bill Wilkins was a firefighter who died in the service of his community.

The Barrie Examiner reported on the funeral as follows: "The funeral for Bill Wilkins will forever be remembered by all who lined the streets or watched on TV, as Barrie mourned one of its own with grace and dignity.

"Thousands of firefighters in dress uniforms marched, medals gleaming and white gloves glowing in stark contrast to their black uniforms, shoes and hat brims catching the light as they marched for Bill, his friends and family.

"And they marched for each other."

Fire Chief Ron Hickey spoke about the loss of one of his men: "Bill was one of those individuals who bring a team together. He had a passion for saving lives, which was exemplified by his work here in Barrie." He then presented Bill's fiancé, Julie Cann, with a plaque which held Bill's firefighter badge, number 67, and retired the number from service.

The loss of Bill reminds us of the courage of firefighters who face unforeseen risks so often in their work and yet go forth each day into unknown dangers in their efforts to protect others. It also reveals the fortitude of Bill's loved ones, who at times like this may find solace in the realization that sacrifice in service to one's community is a high calling.

**Mr Ernie Parsons (Prince Edward-Hastings):** On a point of order, Mr Speaker: Since I introduced the Family Restroom Facilities Act last week, I have been inundated with calls from seniors whose partners require assistance when travelling, from persons with disabilities and from caregivers of young children, all of whom noted how much their life would be improved if they had access to a family washroom.

I would ask for unanimous consent for second and third reading of Bill 57, An Act to facilitate families by requiring that all buildings open to the public be equipped with family restroom facilities.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / *Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1348 to 1353.*

**The Speaker:** All those in favour of the motion will please rise and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hardeman, Ernie
Baird, John R.	Hodgson, Chris
Barrett, Toby	Hudak, Tim
Beaubien, Marcel	Jackson, Cameron
Chudleigh, Ted	Johns, Helen
Clark, Brad	Johnson, Bert
Clement, Tony	Klees, Frank
Coburn, Brian	Marland, Margaret
Cunningham, Dianne	Martiniuk, Gerry
DeFaria, Carl	Maves, Bart
Dunlop, Garfield	Mazzilli, Frank
Ecker, Janet	McDonald, Al
Elliott, Brenda	Miller, Norm
Eves, Ernie	Molinari, Tina R.
Galt, Doug	Munro, Julia
Gilchrist, Steve	Mushinski, Marilyn
Gill, Raminder	Newman, Dan

O'Toole, John
Ouellette, Jerry J.
Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Crozier, Bruce
Bartolucci, Rick	Curling, Alvin
Bisson, Gilles	Di Cocco, Caroline

Martel, Shelley
McLeod, Lyn
McMeekin, Ted

Bountrogiani, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Christopherson, David
Cleary, John C.
Colle, Mike
Conway, Sean G.
Cordiano, Joseph

Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kormos, Peter
Lalonde, Jean-Marc
Levac, David
Marchese, Rosario

Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 51; the nays are 39.

**The Speaker:** I declare the motion carried. The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### HYDRO ONE INC. DIRECTORS AND OFFICERS ACT, 2002

#### LOI DE 2002 SUR LES ADMINISTRATEURS ET LES DIRIGEANTS DE HYDRO ONE INC.

Mr Stockwell moved first reading of the following bill:

Bill 80, An Act respecting directors and officers of Hydro One Inc. and its subsidiaries / *Projet de loi 80, Loi concernant les administrateurs et les dirigeants de Hydro One Inc. et de ses filiales.*

**The Speaker (Hon Gary Carr):** It is the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** The bill removes the directors of Hydro One Inc from office, effective June 4, 2002. It also removes them from the board of directors of any subsidiary company of Hydro One Inc. The Minister of Environment and Energy is authorized to appoint their replacements. The minister is also authorized to make other appointments to the board of directors until the first annual meeting of shareholders after the act receives royal assent.

The bill imposes restrictions on the payments that designated officers of Hydro One Inc are eligible to receive on or after January 1, 1999, when their employment is terminated or when they resign. The employer of the designated officers is required to negotiate new employment contracts with them. If a designated officer enters into a new employment contract, these restrictions cease to apply to him or her.

Contractual and other rights of the directors and designated officers who receive compensation or other payments in excess of these amounts, if any, authorized by the act are deemed to have expired. If a person receives an excess amount, it must be repaid. If it is not repaid within six months, it becomes a debt owing the crown.

No proceedings may be brought against the crown, Hydro One Inc, a subsidiary of Hydro One Inc or any other persons relating to anything done in the act.



On a point of order, Speaker: Considering the amount of debate about this issue in the last couple of weeks, I would ask this House to do the right thing and give this bill second and third reading right now. I seek unanimous consent to do that, without debate.

*Interjections.*

**The Speaker:** Order.

1400

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: I seek a five-minute recess in order to allow the opposition to read the bill before we vote on it.

*Interjections.*

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I just read most of the bill, in particular section 8, and I put to the Minister of Energy, you've got to be kidding. Of course not.

**The Speaker:** If we could, it's a little noisy and I want to make sure I get the sense of the House—

*Interjection.*

**The Speaker:** I can tell I'm going to get the sense, I'm sure. The minister has asked for unanimous consent for second and third reading and I'm going to ask for it. I think I know the reaction.

Is there unanimous consent? I'm afraid I heard some noes.

*Interjections.*

**The Speaker:** Order. It's time to proceed.

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: I want to understand very clearly that the minister has just introduced another six months for the board members and he has refused five minutes for the opposition. I want to have the minister repeat exactly what he said.

**The Speaker:** I'm not going to be the one who's going to interpret—

**Hon Mr Stockwell:** On a point of order, Mr Speaker: I just asked for unanimous consent. There was no request for five minutes put to the House and, furthermore, the unanimous consent was turned down by the third party.

#### CLEAN UP HYDRO ONE ACT, 2002

#### LOI DE 2002 SUR L'ASSAINISSEMENT DES FINANCES DE HYDRO ONE

Mr Hampton moved first reading of the following bill: Bill 82, An Act respecting the compensation of Hydro One Inc. executives and sponsorships and political contributions by Hydro One Inc. and other entities / *Projet de loi 82, Loi traitant de la rétribution des cadres de Hydro One Inc. ainsi que des activités de parrainage et des contributions politiques de Hydro One Inc. et d'autres entités.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

The leader of the third party for a short explanation.

**Mr Howard Hampton (Kenora-Rainy River):** The bill provides that the compensation of executives of Hydro One Inc shall not exceed amounts established by regulation using comparison to executive positions with comparable companies in other provinces.

Termination payments are limited to what would be payable under section 65 of the Employment Standards Act of Ontario.

The Integrity Commissioner will review Hydro One's sponsorships of athletic and cultural events and establish binding policies to govern them. These policies will also apply to sponsorships engaged in by other government-controlled entities. Hydro One is not permitted to make provincial political contributions. This restriction also applies to other government-controlled entities.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: On the introduction of this bill the minister went on at some length. Would it not be appropriate to give the opposition an opportunity to respond? It went well beyond—

**The Speaker:** It was not that long. It was the short explanations in the notes.

**M. Gilles Bisson (Timmins-Baie James):** Sur un point d'ordre, monsieur le Président: comme vous le savez, à beaucoup de reprises je suis revenu à l'assemblée pour faire plainte que, encore, le premier rapport sur Walkerton n'est pas disponible en français. Hier, je me suis levé sur un point d'ordre. J'ai demandé le ministre de l'Énergie et il a dit que oui, en effet le premier rapport sur Walkerton était pour être publié et disponible sur les sites web du gouvernement et du procureur général par la fin de la période de questions de hier.

À 1 h 30 cet après-midi, le premier rapport n'était encore pas disponible. J'aimerais, monsieur le Président, que vous assistiez pour nous assurer que ce rapport soit disponible en français.

**The Speaker:** It's not a point of order.

**Mr Rick Bartolucci (Sudbury):** On a point of order, Speaker: I seek unanimous consent for second and third readings of Bill 20, An Act to amend the Occupational Health and Safety Act to require the appointment of a workplace carcinoma committee.

**The Speaker:** Agreed? No. I'm afraid I heard some noes.

**Mrs Sandra Pupatello (Windsor West):** On a point of order, Mr Speaker: I'm looking for unanimous consent for second and third readings of Bill 66, An Act to amend the Health Protection and Promotion Act to require that a certified food handler be present at all times during the operation of a food premise.

**The Speaker:** The member has asked for unanimous consent. Agreed? I'm afraid I heard some noes.

TERRY RYAN AND STEVE McATEER

**Hon Robert W. Runciman (Minister of Public Safety and Security):** On a point of order, Speaker: I understand we have the unanimous consent of each party to speak for a few minutes on the deaths of Durham

police Constable Terry Ryan, the chair of the Police Association of Ontario, and Toronto police Detective Sergeant Steve McAteer.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Runciman:** Before I begin, I'd like to ask that, following the comments, all honourable members rise for a minute of silence in memory of Terry Ryan and Steve McAteer.

I rise in the House to recognize the tragic and untimely death of Provincial Constable Terry Ryan, a member of the Durham Regional Police Service, a husband, a father, a grandfather and a friend to many. In addition, I want to recognize Terry's vast contribution to his fellow police officers and policing, not only in Ontario but across Canada.

Terry was killed last Thursday evening when he was involved in a head-on collision. Typical of Terry, he was heading home from a police function.

He began his policing career in 1973 with the Pickering Police Department, which in 1974 was merged with others to form the Durham Regional Police Service. Terry was always a highly professional and dedicated police officer. The overriding goal of his career and his life was to strive for safer communities for his fellow police officers and the citizens they served. He provided tremendous leadership and dedication to the policing community through his involvement in police officer associations.

1410

He served on the board of directors of the Durham Regional Police Association for more than 20 years and was first elected president in 1993.

At the provincial association level, he was a long-serving director of the Police Association of Ontario and represented the PAO on several ministry committees.

I got to know Terry well over the years and I can tell the House he was always honest, forthright and dedicated to the safety of all Ontarians and to the police officers of the province. Terry had this gruff exterior, at least with politicians, but when you got by that you were meeting and talking with one warm-hearted, funny and genuinely good guy.

He was a consistently strong voice for the front-line officers in Ontario who put their lives on the line every day to make our streets and communities safer.

A colleague of Terry's recalled when, back in 1992, the Blue Ribbon campaign was starting and police association representatives were called to meet in St Catharines. Terry had injured his back and he wasn't able to walk, but he insisted on travelling from Oshawa to St Catharines. When he got there, they borrowed a secretary's chair and Terry was wheeled into the meeting to have his say. Terry strongly supported the Toronto police, who were struggling with many difficult issues at that time, and he wasn't about to let personal pain get in the way of showing his support.

Terry also gave freely of his time and commitment through his volunteer work in the community, particu-

larly in minor sports organizations and local charity work.

Sadly, Terry was not the only police officer to pass away last week. Detective Sergeant Steve McAteer passed away on Wednesday, May 29, after a brief battle with cancer.

Detective Sergeant McAteer was an instrumental player in the development of the repeat offender parole enforcement, or ROPE, squad. The ROPE squad has been a very valuable tool in the fight against those who try and evade law enforcement while often becoming a threat to our law-abiding communities. I think it's fair to say that our families and our communities are that much safer, thanks to Steve McAteer and his ROPE squad colleagues.

In fact, it was this dedication to community safety and lifelong policing that led to Toronto Police Chief Fantino's promoting Steve to the rank of Detective Sergeant only hours before his passing.

Terry and Steve will be deeply missed by the men and women who served on their police services. Their strong leadership and dedication to public safety will be truly missed.

I believe we all understand that the loss of Terry Ryan and Steve McAteer will most profoundly affect their loved ones, their families and their friends. On behalf of the Progressive Conservative caucus, let me extend our deepest condolences to all those mourning their loss. Our thoughts are with you.

**Mr Dave Levac (Brant):** I rise today on behalf of Dalton McGuinty and the Liberal caucus, and indeed all Ontarians, to pay tribute to a man who has passed away so suddenly and tragically.

On Friday morning, Constable Terry Ryan, a 29-year veteran police officer, president of the Durham Regional Police Association and chair of the Police Association of Ontario, succumbed to injuries suffered when his vehicle was struck head-on. He was off duty at the time.

Mr Ryan's police career began in 1973. He spent over 20 years on the board of directors of the Durham Regional Police Association and was first elected president in 1993. During this period, Terry played a key role in the development of the Durham Regional Police Service and was able to build many bridges for the betterment of service to his community that he so dearly loved.

Terry was a stocky and, some might say, vertically challenged charmer. He always had a smile on his face, unless he was talking to politicians. He was tenacious in his fighting for a cause. He worked with, among others, our own Rick Bartolucci, the member for Sudbury, on the Joe Mac committee.

It is fair to say Terry was a tireless member of the Police Association of Ontario. To the leadership and membership of the OPA we offer our deepest sympathy. Ontarians have lost an important leader and advocate. Terry strove for safer communities for both police personnel and the citizens they serve. He will be sadly missed.

What compounds the tragedy is that Mr Ryan was allegedly killed by a drunk driver. Terry was a non-



drinker and a strong advocate against the perils of impaired driving. It sickens me and, I know, all of us here to think that people continue to put their lives and the lives of others at risk by drinking and driving. Again we have another example of why we must never rest until drinking and driving is a thing of the past.

Mr Ryan is survived by his wife, Carol, his two sons, Jamie and Kevin, and this three grandkids. Again, on behalf of Dalton McGuinty and the Liberal caucus, we offer our heartfelt sympathy and prayers to the entire Ryan family and their friends. As we journey through the sadness and grief, let us celebrate the triumphs and accomplishments of this wonderful man.

Last week we lost another member, a true leader within the police force, Detective Sergeant Steve McAteer, who passed away, too young, on Wednesday from a rare form of cancer.

Steve was described by many as born to be a police officer. He entered the Toronto police force early in the 1970s with the aim of ridding the city of bad guys and providing safe communities for all. Over the next 32 years, he amazed all those who surrounded him with his uncanny vision, unflagging determination and righteous pursuit of justice. As one officer stated, Steve exemplified all those virtues that you want not only in a police officer or even a gentleman, but all human beings.

Although we stand in memory of this fine man, we should also reflect on the legacy and the vision that he imparted. Steve helped found the repeat offender parole enforcement unit, the ROPE squad, which since its inception has been credited with taking 400 dangerous fugitives off the streets. He was also instrumental in founding the Toronto police fugitive squad. Both squads work under very difficult conditions, seeking to find those predators who attempt not to be found.

Again, I, on behalf of the Liberal caucus and Dalton McGuinty, would like to send our condolences to Steve's sons, Sean and Brock, his relatives, family and friends, for whom he cared so deeply. We will not forget the legacy that he has left.

I have a reflection, which I share with this House today, that captures the essence of these two fine public servants. It's called Take Time:

- Take time to think—thoughts are the source of power.
- Take time to play—play is the secret of perpetual youth.
- Take time to read—reading is the fountain of wisdom.
- Take time to pray—prayer can be a rock of strength in a time of trouble.
- Take time to love—loving is what makes living worthwhile.
- Take time to be friendly—friendships give life a precious flavour.
- Take time to laugh—laughter is the music of the soul.

Take time to give—any day of the year is too short for selfishness.

Take time to do your work well—pride in your work, no matter what it is, nourishes the ego and the spirit.

Finally, take time to appreciate—thanks is the frosting on the cake of life.

I thank God for these two fine men.

**Mr Peter Kormos (Niagara Centre):** New Democrats join in this tribute to these two police officers. I wanted to be quite clear that this House, this assembly and its 103 members stand to pay tribute because of our personal sadness over the deaths of these two men, but clearly on this occasion we speak as well on behalf of 12 million constituents. We speak on behalf of them and attempt to articulate the regard that Ontarians have for personnel, women and men, who are there on the front lines: firefighters, the emergency medical response personnel and, today, two police officers.

Constable Terry Ryan had an outstanding career cut short under the most tragic of circumstances all too soon. His sons, Jamie and Kevin, were deprived of a father far earlier than nature intended for them to be without a dad, and three grandkids will never get to know their grandfather the way grandchildren ought to. So there is a tremendous loss for this family: Carol, the sons, the grandkids.

1420

There is also a tremendous loss for a policing community. Constable Ryan was held in the highest regard by his own colleagues. For over 20 years he served, out of a sense of responsibility to his fellow police officers in Durham, on the board of directors of the Durham Regional Police Association. For 29 years, of course, he was a police officer, serving his community, serving his province, and in 1995 he was elected chair of the Police Association of Ontario, with 13,000 members. It's a huge community to be responsible for, in the role of incredible responsibility that Constable Ryan assumed on their behalf, but it's also an impressive figure in terms of the numbers of people who called upon Constable Ryan, as they did, to speak for them.

Yes, mention has been made of Constable Ryan and Queen's Park and his role as a lobbyist. He was as effective as any lobbyist who ever walked the corridors of this building. I hope his fellow officers across this province know he was a tough, tenacious, determined advocate for the interests of police officers as well as for the interests of the safety of communities and the residents of those communities across this province.

In paying this tribute, we express our admiration for Constable Ryan. We express our gratitude for his contribution not only to his own community but to his province and for the leadership role that he performed in such an exemplary way on behalf of his fellow police officers.

We deplore the tragic circumstances in which his life was stolen from him and in which he was stolen from his wife and his sons and his grandkids. We pay tribute with

the hope that those three grandchildren can reflect upon, yes, perhaps even the Hansard of these brief proceedings here, and understand that their granddad was a man who earned the respect, admiration and affection of his colleagues and of his community. He didn't win it in a game of chance; he did it the old-fashioned way: through his own, Constable Ryan's, hard work.

Today we are doubly saddened because Constable Ryan is joined by Detective Sergeant McAteer, an innovative, creative, gutsy police officer who leaves behind family: his mother, four sisters and two young sons, Brock and Sean. Again, a life taken all too soon, a life ended all too early, but a life ended which, in and of itself, Brock and Sean should know, provided a police officer who provided incredible leadership and, as I said, innovation in developing some of the strategic efforts, particularly in the ROPE exercise. It was his efforts in the establishment of ROPE, the apprehension of repeat offenders and parole violators, Detective Sergeant Steve McAteer's role in the creation of that team, that gave rise to what has become an established institution and one that has been acknowledged by governments, both provincial and federal, in terms of understanding and recognizing the need for that level of law enforcement.

So we admire Detective Sergeant McAteer. We respect him for the contribution he made to policing, which means the contribution he made to safer communities, the contribution he made to building and developing and nurturing more civil communities.

We mourn the loss of these two police officers. We recognize that they've set standards for other police officers that other police officers are going to have to aspire to and attempt to meet, and we recognize the vacuum that the loss of these two men has created for their families, their friends and their communities.

New Democrats join every other member of this House in expressing our most sincere sympathies, our condolences, to the families of these two police officers. We hope that this tribute today on behalf of every single Ontarian will be of some comfort to those families.

**The Speaker:** Will members and our friends in the gallery please join us for a moment of silence?

*The House observed a moment's silence.*

**The Speaker:** I will ensure that copies of the Hansard from today go to the families.

#### CONSIDERATION OF BILL 58

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: It's with respect to Bill 58, An Act to amend certain statutes in relation to the energy sector.

Speaker, you will note that the Orders and Notices paper for today indicates that Bill 58 is to be called at 6:45 pm. I'm conceding to you, sir, that the most appropriate time for raising a point of order around the orderliness of a bill is the point at which it's called. I ask you to indulge me today, sir, because I have a serious matter that I raise with you in as brief a context as possible because it may require you to reflect on the validity of

the point of order and the argument supporting it and will give you an opportunity, sir, to do so, so that if the Speaker concurs with the point or does not, a ruling could be made in such a way that it is less disruptive than it would be otherwise.

So I ask you in particular with respect to Bill 58. I ask you to refer to standing order 23, which reads:

"In debate, a member shall be called to order by the Speaker if he or she ...

"(g) Refers to any matter that is the subject of a proceeding

"(i) that is pending in a court or before a judge for judicial determination, or

"(ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature,

"where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

Standing order 23(g) embodies the historic sub judge convention of this and other assemblies. The purpose of that convention was spoken to by the Canadian House of Commons special committee on the rights and immunities of members in its 1977 report, and I quote:

"The purpose of the convention"—that's the sub judge convention—"is to protect the parties in a case awaiting or undergoing trial and persons who stand to be affected by the outcome of the judicial inquiry. It exists to guarantee everyone a fair trial and to prevent any undue influence prejudicing a judicial decision or a report of a tribunal of inquiry."

1430

Speaker Fraser in the House of Commons, March 8, 1990, stated that one of the functions of this convention is "to maintain the separation and mutual respect between the legislative and judicial branches of government."

I put to you, Speaker, and I put to you that I am prepared to provide you with sufficient information to satisfy you that the separation is threatened by allowing debate to proceed on Bill 58. Well in advance of tabling this legislation that enables the sell-off of Hydro One, the government had already filed its appeal of Mr Justice Gans's decision of April 19 of this year, which determined that the government does not have the legal authority to relinquish public control of the corporation by offering its shares for sale to private investors.

I've read that judgment, Speaker, and I ask you to read it too, because one of the initial issues that Judge Gans had to resolve was the standing of the parties, and that was in particular CUPE and CEP, the two trade unions, and Judge Gans of course found that they had standing. I submit to you that one of the considerations here and now is the prejudice to them as parties as well as the prejudice to other parties, and that is the government, but it is also, I submit, by virtue of the role of this assembly, this assembly as well.

Until the government filed its notice of appeal, it had a choice. It could try to give itself the requisite authority through legislative channels or it could seek legal redress



by launching an appeal in the courts. The government chose to initiate these proceedings, because the proceedings that are being heard now are the appeal. Had the issue rested with Judge Gans, there would be no argument to be made because there would be no ongoing proceedings. The trial would have been held, judgment made, and the government then would be entitled to introduce its bill. We would be entitled to debate it. But the government consciously chose to appeal those proceedings notwithstanding the legislation that's before the assembly. So I put to you that it's impossible to maintain the separation and mutual respect between the legislative and judicial branches of government if both bodies are seized of the same matter.

Following on Speaker Fraser's interpretation of the sub judice convention, I put to you that it's therefore improper for the government to call a bill for debate whose subject matter is before the courts. Indeed, and as I said, in this case it was the government that maintained the matter before the courts when there was no obligation on it to do so, nor was it required to do so in view of the legislative alternative that it indicates it has by virtue of this bill.

I want to indicate that we acknowledge the sound reasoning underlying Speaker Lamoureux's judgment from the Canadian House of Commons on October 4, 1971. But we submit to you that it is not applicable in this specific case.

Speaker Lamoureux argued, not irrationally of course, that if a legal proceeding could be permitted to prevent Parliament from discussing or initiating the discussion of legislation, then "the whole legislative process might be stopped simply by the initiation of a writ, or legal proceedings in one or other of the courts of Canada."

Of course Speaker Lamoureux was right, because the broad interpretations of the sub judice convention would suggest that the Judicature Act, the County Courts Act, the Division Court Act, the Execution Act or any other act affecting actions of law could never be amended while actions were before the courts. We concede that. All members would agree with Speaker Turner of this Legislature that such an interpretation would be *reductio ad absurdum*.

However, in the case I'm putting before you today, we're not seeking such a broad interpretation of the convention's applicability, by any stretch of the imagination. We're not suggesting that no matter relating to Hydro can properly be put before the Legislature. On the contrary, questions relating to the pay packages and benefit packages of the board of directors have very little to do with the very specific issue of enabling the government to sell off Ontario's electricity assets, which is the very specific issue in the litigation currently before the courts, and a very narrow issue.

We're asking you to invoke the sub judice convention to prevent a single, clearly delineated matter from being debated in this assembly while that very same matter—the very same matter—is before the courts.

Speaker, you're vested with the discretion to do that. Your predecessor Speaker Morrow confirmed your authority in this regard when he ruled, on March 30, 1966, that "Absolute discretion must be left with the Speaker to intervene at any time to stop any debate, even if the action has not been set down if, in his opinion, there is a real danger of prejudice."

I would ask you as well to consider that prejudice must be interpreted broadly, being real or perceived, and that when the Speaker considers whether or not there is prejudice here, it's not sufficient to say there's a lack of evidence regarding real prejudice. I put to you the matter of perceived prejudice on the part of any party to the ongoing proceedings and indeed this Legislature being almost offensive in suggesting to the court that, to put it colloquially, it doesn't matter what the court does, because the Legislature's going to do what it's going to do. That, I submit to you, is a very dangerous thing and something to which the Speaker should address his mind.

Former Speaker Turner of this assembly also indicated, quite rightly, I put to you, that "It is very difficult for a Speaker to know when a matter is sub judice." He therefore concluded, "The Speaker must take direction and rely on information from members in this House." I've brought the information for your consideration today, sir.

I would remind you as well of comments made recently by the then-government whip, who has argued on behalf of this government that the separation of the legislative and judicial branches can best be observed by prohibiting the former from commenting on matters being dealt with by the latter. Former government whip Frank Klees said this: "We on this side of the House believe that it is important to respect this place and to conduct our business in accordance with respect not only to the rules of this House but for the judicial system in our province. Under these circumstances no further comment, we believe, is appropriate."

Indeed, other ministers have echoed Mr Klees's concerns. I can recall Attorneys General Harnick, Flaherty and, yes, even Attorney General Young, declining to respond to questions when the issue raised by an opposition member was one that was then before the court. It has become a frequent admonition by Attorneys General that this Legislature must not deal with matters before the court.

Speaker, if you're inclined to concur with both Speakers Morrow and Turner that (a) you have the discretion to stop the debate—and I put it to you that that in itself is not a difficult consideration; I believe it's clear that you have that discretion—and (b) you must take direction from members of this House in terms of what you rely upon to exercise that discretion, then I submit to you that consideration of Bill 58, An Act to amend certain statutes in relation to the energy sector, cannot proceed for debate in this House until the court has ruled on the government's appeal. The government, as well, could withdraw its appeal, in which case the matter would no longer be before the courts and this would not even be a matter for the Speaker to have to consider. So I put that to you, sir.

As well, on a second point of order with respect to the same bill, I put this to you—and this is with respect to the issue of omnibus bills. I've been here, as have you and most members of this assembly, when there has been a succession of rulings on omnibus bills. I'm well aware of the history of those rulings. There have been members from all three caucuses who have had occasion to call upon you to rule with respect to omnibus bills.

You yourself, though, sir, noted that you've been put in a difficult position by omnibus bills. On December 2, 1999, the Speaker of this assembly said, "I have found that omnibus bills cause me great concern.... The opportunities for members in this place to give due and sufficient consideration to legislation should be respected." I put it to you that it flows from that comment in 1999 that this government has become much more up front—I put this to you candidly, because the government has been much more candid—about when it deems the contents of a bill to fall within Beauchesne's requirement that there be a theme of relevancy among the contents of an omnibus bill.

I draw this bill to your attention because last Thursday the government introduced an omnibus bill. The Minister of Training, Colleges and Universities delivered the written copy of her ministerial statement on the Post-secondary Education Student Opportunity Act, 2002, to members of this Legislature and the bill was called the post-secondary education omnibus bill, so that makes it easy for you. The government has identified its bill as an omnibus bill. If the umbrella designation of the title is a catch-all, then it's pretty difficult to rule that such a bill would be out of order, although it's still up to you to use your discretion. In other words, the government has been up front saying, "Yes, this is an omnibus bill." This is a dog's breakfast, if you will, and it's acknowledged up front.

1440

So the government has adopted that strategy, and that in itself is not only fair, but good. But it suggests that a bill that is not designated as an omnibus bill is not intended to be an omnibus bill. If the bill is not intended to be an omnibus bill, then it's imperative the government demonstrate the relevancy of theme referred to by Beauchesne. In other words, the threshold of demonstrating a relevancy of theme is much higher in cases where a bill has not explicitly been designated an omnibus bill. So I submit to you that the threshold articulated is not met by the contents of Bill 58, entitled An Act to amend certain statutes in relation to the energy sector.

Bill 58 tries to deal with at least four discrete policy matters under the guise of one unified piece of legislation. The first, and to us most odious, part allows for the wholesale privatization of Hydro One. A second, almost equally worrisome component of the bill deals with market surveillance. But then we get to two much less contentious sections which deal with consumer protection and the assurance that hydro corridors will be owned by the province.

As you can tell by my description of various parts of the bill, it's impossible for our caucus, and we suspect others, to dispose of these issues with just one vote. Whereas we're vehemently opposed to some sections of the bill, others seem much more benign. It's inconceivable to us that we could only vote once with a single ye or nay to dispose of all these disparate matters.

House of Commons Speaker James Jerome, May 11, 1977, noted that there is legitimacy to the kind of concerns that I'm expressing here today. Speaker Jerome indicated "some very deep concern about whether our practices in respect of bills do in fact provide a remedy to the very legitimate complaint ... that a bill of this kind gives the government under our practices the right to demand one decision on a number of quite different, although related, subjects." It's a very important ruling, that of Speaker James Jerome, May 11, 1977.

The time to address the issue is now. We've reached the appropriate stage in the life of Bill 58. The bill has been given first reading, so it's now that we need to consider its orderliness and to determine whether this Legislature would be better served by splitting this bill into more manageable pieces.

I know there have been precedents at the federal and provincial levels to suggest that the severance of an omnibus bill is something that can happen. Indeed, when the NDP was in government it agreed with the other two parties to divide Bill 29, a budget bill that was introduced June 1, 1993, as well as Bill 160, introduced on May 18, 1994, because there were certain elements of those pieces of legislation that were contentious. The NDP listened to the concerns of the opposition parties of the day and accommodated them.

Severing those two bills was done through political accommodation. However, Speaker, there are precedents which exhort you to achieve the same end in instances where the government of the day is not as accommodating as the NDP was then. There was a ruling made by the Honourable Lucien Lamoureux, Speaker of the Canadian House, who asked with respect to omnibus bills, "Where do we stop? Where is the point of no return? (The honourable members) said that we might reach the point where we would have only one bill, a bill at the start of the session for the improvement of the quality of life in Canada which would include every single proposed piece of legislation for the session. That would be an omnibus bill with a capital 'O' and a capital 'B.' But would it be acceptable legislation? There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint."

But he continues, "There must be a point where an omnibus bill becomes more than an omnibus bill"—more than an omnibus bill—"and is not acceptable from a procedural standpoint ... the government has followed these practices that have been accepted in the past, rightly or wrongly, but that we may have reached the point where we are going too far, that omnibus bills seek to take in too much."



**The Speaker (Hon Gary Carr):** Order. If the member could wrap it up, please; we have a good sense of it.

**Mr Kormos:** The point to which Speaker Lamoureux alluded in 1971 has now been reached by this Legislature. Lamoureux went further, that "It should be the responsibility of the Chair, when such a bill is introduced and given first reading, to take the initiative and raise the matter for the consideration of the House by way of a point of order." He advised that when another omnibus bill was proposed, "It should be scrutinized at first reading stage, where honourable members would be given the opportunity of expressing their view and the Chair can express its view either that the bill goes too far or that it is acceptable...."

Clearly, you have the power to rule. I would also ask you to look at page 618 in the text of the House of Commons Procedure and Practice, which states that "The Speaker has expressed deep concerns about the right of members to make themselves heard properly, and so has occasionally felt the need to suggest what remedies members have to deal with the dilemma of having to approve several legislative provisions at the same time."

Speaker Jerome, on May 11, 1977, stated that omnibus legislation "leaves some very deep concern about whether our practices"—

**The Speaker:** If I could interrupt the member again, if he could explain the relevance of those parts, we do have the books; we can look them up. If you could explain the relevance to this particular incident, it would be very helpful.

**Mr Kormos:** It's about omnibus bills and the authority that you have. It's about precedents. But I'll tell you, then, the comments made by Speaker Jerome on May 11, 1977, the comments made by you on December 2, 1999, here in this Legislature, where you expressed great concern—I draw your attention to page 3 of Beauchesne, which defines the principles of Canadian parliamentary law. I also ask you to consider standing order 1(b), considering the democratic rights of members and the cumulative effect on the democratic functioning of the House if we allow Bill 58 to be debated in its current form.

I put to you that it is your prerogative and that we call upon you to address this matter, exercising your discretion to intervene in order to preserve the very limited rights of members to fully address each of the discrete subject matters that the government is trying to consolidate in Bill 58.

I thank you very much for your patience with me, Speaker, and I thank you very much for your consideration of these two points of order. I put to you that while, at first blush, precedent may seem to hold that Bill 58 stands and should stand, it's not the size of a bill that determines whether it ought to be effectively severed, but it's the content of the bill. While there have been larger bills before this House that have been ruled not to be omnibus bills, there has not been legislation which so clearly contradicts and violates the rule against disparate matters so grossly disparate as to create unfairness as Bill 58.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Mr Speaker, I generally have found in this House that the weaker the argument or point of order, the longer the discussion. That's the longest I've ever heard, so that would rank it right up there as the weakest argument I've ever heard.

"The sub judice convention is first and foremost a voluntary restraint on the part of the House to protect an accused person, or other party to a court action or judicial inquiry, from suffering any prejudicial effect from public discussion on the issue."

To go further, "Where criminal cases are concerned"—and I want to highlight that for the member; he didn't seem to get around to that—"the precedents are consistent in barring reference to such matters before judgment has been rendered and during any appeal. Members are expected to refrain from discussing matters that are before a criminal court, not only in order to protect those persons who are undergoing trial and stand to be affected whatever the outcome ...."

Did you notice a couple of words in there consistently: "criminal court," "criminal matter," "criminal action"? I heard nothing from the member opposite with respect to how he figures—and he talks quite at length about "real and perceived." I mean, you're not even into real and perceived. It's a criminal action. You're into dreams. There's no dream as far as these actions are concerned; it's a criminal action that you're talking about with respect to the convention. That has been spoken to by all those Speakers you quoted just recently in your rather long-winded dissertation. Set that aside. I mean, that is a criminal action. This is not even close to being a criminal action.

**Mrs Sandra Pupatello (Windsor West):** Speaking of long-winded.

1450

**Hon Mr Stockwell:** It is not a criminal action, and probably the person who ranks second just heckled me about being long-winded. This is a criminal action we're talking about, so the convention doesn't apply and, Mr Speaker, I suggest you dismiss that readily.

The omnibus argument is beyond a stretch. This is beyond even the credibility of the member opposite to make an argument that this bill, Bill 58, is an omnibus bill and should be ruled out of order. I could only mention a few bills—the social contract and others—which had wide-reaching initiatives and touched far more in the way of legislative reform that didn't relate to particular bills. Bill 58 isn't even close, isn't even in the ballpark, not even in the margins of being an omnibus bill that should be ruled out of order.

So, not wanting to take up too much time, Mr Speaker, I suggest that any reference to the sub judice convention that you will review will see it's a criminal matter. And as far as the omnibus bill, well, that's hardly worth even debating. If this bill is an omnibus bill, Mr Speaker, and it's ruled out of order, then, my goodness, there is not a bill that can touch two different statutes, two different acts or two different ministries that could in fact be ruled

in order, because this will set a precedent that no government has ever held itself accountable to and no government has ever lived through with respect to omnibus bills.

**The Speaker:** I will take this afternoon to reserve opinion on that and look up all of the precedents that the government House leader and the member for Niagara have given me and we will have a ruling by the time the bill is called this evening.

It is now time for oral questions, and the leader of the official opposition.

**Mr Dalton McGuinty (Leader of the Opposition):** Speaker, I understand the Premier will be here momentarily.

**Hon Mr Stockwell:** I fully expect that the leader—

**The Speaker:** Yes, a point of order. If we could put the clock back to the beginning.

Government House leader for some clarification?

**Hon Mr Stockwell:** Speaker, I don't think we were expecting such a long opening, so we will just find the Premier and get him in here as soon as we can. We apologize for the delay and if—

*Inaudible.*

**Hon Mr Stockwell:** —and we will undertake to let the full hour run.

**The Speaker:** I wonder if he is in the vicinity, or maybe we could stand down the first question. We'll give him a few moments.

## VISITORS

**Mr Joseph Spina (Brampton Centre):** On a point of order, Mr Speaker: May I take this opportunity to introduce the wonderful students of Cardinal Leger Catholic high school of Brampton who are in the gallery today.

**The Speaker (Hon Gary Carr):** We welcome our guests, and that's all the time we needed to have the Premier ready.

## ORAL QUESTIONS

### PUBLIC SECTOR COMPENSATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Much has been made, and quite rightly so, about the pay packages for the executive over at Hydro One, and as a result of your negligence and incompetence you have had to introduce a bill today. That had to do, as I say, with Hydro One.

I want to address today the matter of Ontario Power Generation. Can you confirm for us, Premier, that the president and CEO of Ontario Power Generation is receiving an annual salary of \$2.3 million?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** No, I can't, but I presume that he will want to be voting for the bill that was introduced by the Minister of Energy today with respect to Hydro One.

**Mrs Sandra Pupatello (Windsor West):** Next issue.

**Hon Mr Eves:** Excuse me.

**The Speaker (Hon Gary Carr):** Will the Premier take his seat. The member for Windsor West, come to order, please. He isn't up two seconds and you're yelling at him. Would you come to order, please.

Sorry for the interruption again, Premier.

**Hon Mr Eves:** I seem to recall distinctly just a few short moments ago the leader of the official opposition leading into his question, talking about Hydro One, talking about negligence, talking about this, talking about that. You should know by now that in question period, if you make your questions so long that you could talk about anything from orange groves to Hydro One, as you mention it in your preamble, you can answer anything to do with that question.

The issue is, the leader of the official opposition and his party have been yipping and yapping for over a week in this House about Hydro One. The Minister of Energy has proposed a solution to the problem. Are you voting for it today? Yes or no?

**Mr McGuinty:** Premier, I take it from that that you are not aware that the president and CEO of Ontario Power Generation, Ron Osborne, is now receiving an annual salary of \$2.3 million. You brought in your bill in order, at least in part, to address an annual salary over at Hydro One, on the part of the president and CEO over there, of \$2.2 million. This president and CEO over at OPG is earning a salary of \$100,000 more. You should be aware of this, Premier, because obviously your minister is not, and I will now tell him that this information is in fact available publicly. It was made available when Ontario Power Generation filed their annual information form with the Ontario Securities Commission.

My question for you, Premier, is, if \$2.2 million was inappropriate and worthy of a bill to fire the board of directors, what are you going to do in the case of a salary of \$2.3 million?

**Hon Mr Eves:** Is the leader of the official opposition going to deal with the Hydro One issue today or not?

*Interjections.*

**The Speaker:** Order. I believe it was the Premier who had the floor.

**Hon Mr Eves:** The leader of the official opposition has made a great to-do about Hydro One compensation packages, especially the severance package of the CEO. That is what he has been pointing to and talking about in this Legislature for weeks.

*Interjections.*

**The Speaker:** Order. Would the Premier take a seat, please.

The member for Hamilton East, the member for Kingston and the member for Sudbury, come to order, please. I'm not going to keep getting up. This is your last warning, for all three of you. I'm going to pick up very quickly. I've been up and down two or three times. We'll just remove you if you can't behave. I apologize, Premier. I don't know if you were done. Yes.

**Mr McGuinty:** Premier, I can understand why you are very, very concerned about the consequences of your



negligence and incompetence over at Hydro One and the fact that ratepayers are going to be burned with those outrageous compensation packages. I can understand why you're very concerned about that.

But I want you now to have a look at something else, Premier. That's what I'm asking you to do. I'm asking you to take a look at Ontario Power Generation; I'm asking you to take a look at public documents; I'm asking you to pick up the phone and phone Ron Osborne and ask him how much he's making on an annual basis. We have learned that he's making \$2.3 million. Over at OPG it's the same thing as at Hydro One, Premier. You appointed the board, you excluded both boards from sunshine laws and then you either tacitly or explicitly approved of these compensation packages. I ask you again: if \$2.2 million warranted a bill that would fire the board and turn back the clock when it came to salaries, what are you going to do for a salary of \$2.3 million?

**Hon Mr Eves:** The honourable member might want to turn the clock back to December 12, 2001, and have some time to think about some decisions he—

*Interjections.*

**The Speaker:** Premier, take a seat, please. This is the last warning to the Minister of Environment and Energy. We're not going to continue to have you yell across. You've got a bill tonight. I suggest that you be here and don't get thrown out. I guess you're back for this evening, but I would suggest that this is your last warning as well. If you want to answer the question, you can answer the question. If not, it's the Premier's turn.

1500

**Hon Mr Eves:** Speaking of turning the clock back, the leader of the official opposition might want to go back to December 12, 2001, when he was in favour of privatizing Hydro One. Then he said, "Well, I made a decision too quickly. I actually should have some time to think about it." Now, six months later, he's thought about it and he wants to do something different.

No doubt if we did exactly what he wanted today, six months from now he would change his mind yet again just so he could be on the opposite side of the issue. Leadership is about a little bit more than that.

We are dealing with the situation at Hydro One. We have proposed a solution to Hydro One which, I might add, won't cost the taxpayers one red cent more.

*Interjections.*

**The Speaker:** Just before we begin the next question, the member for Windsor West is on her last warning too. If I have to talk to her again, she'll be removed.

**Mr McGuinty:** Let me say at the outset, I don't need any lectures from the king of flip-flops when it comes to Hydro One.

Premier, let's take a look at the cost to Ontario ratepayers for senior management over at Hydro. At Hydro One, we're paying the president and CEO \$2.2 million annually; at Ontario Power Generation, we're paying \$2.3 million annually, for a total salary package of \$4.5 million.

Over in Quebec, they are paying \$407,000 to have both jobs done; in BC, \$466,000 for both jobs. Why is it that with all your Bay Street savvy and financial acumen, here in Ontario ratepayers are paying 10 times what they're paying in BC and Quebec?

**Hon Mr Eves:** The leader of the official opposition has a chance to do something today that he very rarely has a chance to do. He has a chance to be part of a solution to a problem that he has raised in this House consistently for about a week in a row.

Are you going to do the right thing today, Dalton, and be part of the solution to Hydro One compensation or not? Yes or no?

*Interjections.*

**The Speaker:** Order. Come to order, please. Sorry. Leader of the official opposition.

**Mr McGuinty:** The way the Premier is so effective at putting these questions, he's going to make a fine leader of the opposition.

**Mr Dwight Duncan (Windsor-St Clair):** That's if he holds his seat.

**Mr McGuinty:** Assuming he can hang on to his seat.

Premier, it doesn't end there. There's also Mr Osborne's severance package, which I'm sure you'll be very interested in learning about. It's a minimum of \$2.3 million and, depending on the circumstances, it will double to a payout of \$4.6 million. This is on top of a \$12-million golden parachute over at Hydro One.

Let's remember: you appointed the board. You excluded them from sunshine laws. You either tacitly or explicitly approved of these compensation packages. The problem here is, this is not a case of one wild rogue board; this is a case of systemic incompetence and negligence. What are you going to do about that?

**Hon Mr Eves:** The leader of the official opposition has an opportunity to resolve a situation on Hydro One today in this House, or is he going to let it go on for a protracted period of time? You can pass the bill today. I'm sure you'd want to give unanimous consent to resolve the issue at Hydro One today. Are you going to do that? Yes or no?

**Mr McGuinty:** Premier, if you are asking me whether I am going to move expeditiously to get you out of the mess that you created for yourself, the answer is no. Besides that, you're going to need an omnibus bill to clean up all the messes you've been creating. This bill only deals with Hydro One. When are you going to bring in the bill to deal with Ontario Power Generation? When are you going to disclose all of the salaries and all of the compensation packages for senior execs over at Ontario Power Generation?

I come back to my original thought. The real problem here is not these boards, not these directors who were appointed by you, not the ability that you extended to them to create these compensation packages; it has everything to do with you and your standards and your failure to stand up for ratepayers.

You introduced this bill today. It is too—

**The Speaker:** The leader of the official opposition's time is up.

**Hon Mr Eves:** First of all, the leader of the official opposition knows very well that I did not appoint the boards. He knows that but he keeps on repeating it.

*Interjections.*

**The Speaker:** Would the Premier take his seat. Premier.

**Hon Mr Eves:** We on this side of the House are not afraid of confronting a problem when it arises and solving the problem.

The leader of the official opposition has said several times today and last week—last week he said in the scrum, as I recall, the horse was out of the barn. The taxpayers would have to pay anyway. People would sue. They'd be successful, obviously. He was going to give up. We just had to pay the millions of dollars.

I'm telling you, this bill will not cost the taxpayers of Ontario one red cent. Will you support it or not? Yes or no?

**The Speaker:** New question.

## HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. I've had a chance to read section 8 of your proposed legislation. It says, "The board of directors of Hydro One Inc shall negotiate with each of the designated officers for a new employment contract."

So far as we can tell, over the last three weeks your government has apparently been negotiating with the officers over at Hydro One. The only thing we've noticed is that the payouts and bonuses and severance packages become more generous.

Premier, what does this legislation do, other than just allow you to negotiate, which is exactly what you've been doing for the last three weeks while the situation gets worse?

**Hon Mr Eves:** First of all, the government is not negotiating with anybody. The government, through the Minister of Energy, directed the board of Hydro One to do the right thing and renegotiate inappropriate amounts of compensation and severance packages for certain officers of Hydro One. That is what the government asked the directors of the company, Hydro One, to do.

1510

**Mr Hampton:** So, Premier, all that the operative section here does is say that you're going to continue negotiating with these same people, Eleanor Clitheroe and company, who have suggested to you that they deserve these incredible salaries, bonuses and severance packages.

This bill doesn't set any wage structure. It doesn't. I've put forward a private member's bill today that says that Hydro One salaries should be pegged to salaries at Hydro Quebec and BC Hydro, essentially \$500,000 or less.

So I'm saying to you, Premier, if you're serious about this, if you're really serious about getting these salaries in

line, will you include the section of my private member's bill that says the salaries shall not be higher than the salaries at Hydro Quebec and BC Hydro? If you'll do that, then we might get somewhere.

**Hon Mr Eves:** I understand where the leader of the third party is coming from at least, and I understand the philosophy he has with respect to these things. He believes that government should impose salaries, all kinds of things, on all kinds of people, through all kinds of legislation.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** You're the shareholder. Of course you should.

*Interjections.*

**The Speaker:** Order. Premier.

**Hon Mr Eves:** We are not going to dictate salaries to people in corporations incorporated under the Business Corporations Act of Ontario. That is what boards of directors are there to do. When boards of directors act inappropriately, then shareholders are left with no option but to take the appropriate action with respect to the board, and that's what we're doing today.

**Mr Hampton:** Premier, for all of your huffing and puffing, all this bill would allow you to do is to continue doing what you have been doing: negotiate. Negotiation has gotten you nowhere other than increased packages, increased severance and increased bonuses and payouts.

I've done the legislative drafting for you. Hydro One is a smaller company than Hydro Quebec. It is a smaller company than BC Hydro. If you're serious about this, put a section in this bill. You can adopt the section out of my private member's bill that says the salaries will be in line with Hydro Quebec and BC Hydro.

If you're willing to do that, then we can get somewhere. Will you do that, Premier? You're the shareholder for the people. Are you protecting the people's rights or are you still protecting your friends over at Hydro One?

**Hon Mr Eves:** I doubt that I have any friends over at Hydro One, today especially.

The way the Business Corporations Act acts is that the directors of any particular corporation determine the remuneration and compensation of employees of the company.

We are exercising, through this piece of legislation, our rights as shareholders—

**Mr Sorbara:** Subject to a unanimous shareholders' agreement.

**Hon Mr Eves:** —to (a) remove the current board of directors because we feel that they acted inappropriately—

*Interjections.*

**The Speaker:** The member for Vaughan-King-Aurora, this is his last warning as well.

Premier, take your seat. This is the last warning for the member for Vaughan-King-Aurora. We can't continue to have you shout across at him.

Is the Premier finished? New question, leader of the third party.

**Mr Hampton:** Premier, in fact you had prior warning of Hydro One because, when you were Deputy Premier



and Minister of Finance in charge of Ontario Hydro, you put up the name Sir Graham Day to be the chair of the board at Hydro One.

We presented evidence that Graham Day, when he privatized the electricity network in Great Britain, did the same thing there. He increased the salaries of the executives in Great Britain to the point where it was a public scandal. I told you that. You ignored it.

This is your doing, Premier. You are the people who put Graham Day and his cronies in charge, even though they have a track record of increasing executive salaries to outrageous proportions. You are the people who made the executive salaries over there immune from the freedom of information act. You are the people who were told about this at least six months ago and have done nothing. Now you present legislation that is simply going to allow you to negotiate.

If you're serious, Premier, put in the clause that says the salaries should be the same—

**The Speaker:** The member's time is up.

**Hon Mr Eves:** I refer the question to the Minister of Energy.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** Since you've three or four times brought up this letter that you claim to have sent in November, we have searched all the files in the Ministry of Energy two months before the alleged letter was sent, two months after the alleged letter was sent. We can find no record of any letter that you've ever sent the Minister of Energy outlining any of these concerns.

To go one better, I then had my office phone your office and ask them to provide me a copy of the alleged letter, which they never did. So, once again, reality and perception and dreams. Maybe you dream you sent the letter, but you never sent it because dreams don't happen. Your caucus go to bed every night dreaming you're not their leader, and every day they show up in here, you still are.

**Mr Hampton:** The Premier might want to know as well that some of the other people he appointed to the Hydro board—and I'm talking first of one Radcliffe Latimer, who also had a track record of giving himself a \$1.8-million severance package when he left Trans-Canada in 1985. You would also know that one of the other people on the Hydro One board is a Mr Sakus, who sat together with you on the corporate board of BCE Emergis. You know most of these people very well, Premier, and they have a track record.

I'm simply saying to you, knowing these people, knowing what they've done previously—Mr Graham Day, Mr Sakus, Mr Radcliffe Latimer—the fact that they've done this kind of thing before, why did you appoint them to the Hydro board? If you're so interested in doing something about this, why won't you put the clauses in the legislation that set the salaries?

And I'll say to the Minister of Energy, I'll provide you with another copy of the letter and I'll provide you with the Hansards where I raised the questions as well.

**Hon Mr Stockwell:** If you're going to provide me with another copy of the letter, you better write it this time.

Secondly, you know you just went through your concerns with respect to the members of the board for Hydro One and you're saying you've got concerns with respect to their being the members of the board of Hydro One. So do we. That's why we introduced the bill today calling for the board of directors to be changed. All we're looking for from the opposition, the third party and the Liberals, is that after weeks of you haranguing and harassing and being concerned, we've taken initiative. We've taken direction. We've taken action. The bill is before the House. You don't have a tough decision to make. All you have to do is say "yea." That's it, just say "yea." When we ask for unanimous consent, just say "yea" so we can get on with the fact that we want to clean up this problem at Hydro One. We want to save the taxpayers money, and the longer you wait, the less chance there is of that. Just say "yea."

**The Speaker:** New question.

1520

**Mr Michael Bryant (St Paul's):** But that it could be so easy. The government knows very well that this billion-dollar botch-up by this government is going to cost the taxpayers of Ontario millions of dollars in litigation costs. You said this won't cost one red cent, Mr Premier. Are you off your rocker? You've just left a very fine law firm. You've been advised by the Attorney General as to what litigation costs are going to ensue here. This is going to make the Pearson airport fight look like a Small Claims Court matter. Will you tell us now, how many millions of dollars are the taxpayers going to be left with as a bill after you've finished royally screwing up this file?

**Hon Mr Eves:** I'm not so sure that was a question. That was a statement. The member for St Paul's is obviously the most articulate, intelligent lawyer that's ever been invented on the face of the planet. Obviously we'll have to defer to his legal knowledge and expertise.

**Mr Bryant:** No, no, no, no, no. You laid the mine field. A moment of modesty. You laid the mine field. You're the shareholder. You appointed the board. You authored the articles of incorporation. You laid the mine-field. The board helped you lay down the minefield. It is a legal minefield and now you've walked into it. Boom. Boom. There are boardrooms of lawyers across this province right now that are very excited about this.

This government has not only botched up the Hydro One file, this government has not only commissioned the yacht, appointed the captain and set sail for privatization with the good ship Hydro One, but now it's sunk the ship. There are going to be litigation costs and taxpayers are going to be on the hook for them. I say to you again, Mr Premier, how many millions of dollars of litigation costs is this going to cost the people of Ontario?

**Hon Mr Eves:** If the members who are being disposed of through this legislation that's proposed here

in the House today have any decent legal advice at all, it won't cost the taxpayers of Ontario one red cent.

### ENVIRONMENTAL TESTING

**Mr John O'Toole (Durham):** My question is also to the Minister of Environment and Energy. Minister, a group of citizens in my riding has been working for a number of years on concerns over storage and spreading of biosolids and other materials throughout my riding. This group is called Protect the Ridges. It's been looking specifically at the impact of materials on groundwater and wells, as well as air quality, and on the land itself. I appreciate the fact that staff in your ministry are committed to following up on these concerns; however, Protect the Ridges is disappointed that the previously promised testing and release of information have been slow, if at all.

Two of the major issues raised by the group are the monitoring of SoundSorb paper sludge at the Oshawa Skeet and Gun Club, as well as composting at the Harmony Road site.

My question to you, Minister, is: could you advise my constituency on what progress has been made and what commitments you're prepared to make in the future?

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** I'm very happy to answer a question from a member who's prepared to protect the taxpayers with respect to the Hydro One bill that was introduced in this House.

We are releasing a report within the next two weeks which discusses test results of SoundSorb samples from the Oshawa Skeet and Gun Club, arranging for the installation of test wells by this July at the gun club and nearby composting facilities to assess the potential impact of the berm on the groundwater in the area and awarding a contract by the end of June to study the potential of SoundSorb to generate harmful bio-aerosols. The ministry is also currently reviewing the exemption of SoundSorb from the Environmental Protection Act and regulation 347.

I can assure you that this review will consider the findings of the above studies. I want to also assure the member that we take this issue very seriously. I want to thank you for working very diligently with this, and also the other members from Durham, talking to me with respect to the issue and where we stand on it. I can give you an undertaking that we will deal with it in the very near future.

**Mr O'Toole:** Thank you very much for that comprehensive response, Minister. I'll certainly be sharing it with my constituents at a public meeting on Wednesday night.

Do I have your assurance that this information received from the testing will be shared very promptly with the residents and we will continue to work with Protect the Ridges in resolving this important constituent issue?

**Hon Mr Stockwell:** Yes, I assure you that the Ministry of Environment will be happy to meet with

concerned citizens' groups, including Protect the Ridges, to discuss the findings of all the analytical testing. We encourage the member to go out and meet with these people. If any support staff are necessary from the Ministry of Environment, we'll be more than happy to send the support staff.

Let me just say that these kinds of issues are brought forward in the technological world and decisions are made, sometimes without the advance knowledge of what impact these decisions have. This is one of those situations where a decision was made in the past and now we have to deal with the issue because of the advanced technology. We should be very forthright and diligent in dealing with it, but we should also be very thankful that there are members like the member for Durham, who can represent his constituency, carry the ball in this House and also deliver this public hearing and the message back to people, because they know he's working in their best interests.

### PUBLIC SECTOR COMPENSATION

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Premier. As you can tell, Mr Premier, Ontario electricity ratepayers and many members of the Legislature are quite interested in these executive compensation arrangements that your successor hydro companies have made with people like Eleanor Clitheroe and, we learned today, Ron Osborne.

Can I just ask this question? The chairman of the board at Ontario Power Generation is none other than Bill Farlinger, who is well-known to the Ontario provincial Progressive Conservative Party. The vice-president of corporate relations at Hydro One is Deb Hutton, who is well-known to all of us here and very closely associated with the Ontario Progressive Conservative world of Mike Harris and Ernie Eves.

My very specific question to you, Mr Premier, is this: in the last five months, at any point have either Bill Farlinger or Deb Hutton talked to you, as the now Premier and the former leadership candidate, about the executive compensation arrangements involving Ms Clitheroe and her colleagues and Mr Ron Osborne and his colleagues?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** Absolutely not.

**Mr Conway:** So you are asking the Legislature to believe that these people—I'd just ask people, do you remember the opening day of the Ernie Eves Legislature? The person sitting between Mr Harris and Mr Eves was none other than Bill Farlinger.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** What are you saying, Sean?

**Mr Conway:** I'm saying that there are no two better-connected Ontario Conservatives than Bill Farlinger and Deb Hutton. Deb Hutton was writing members of the Legislature, garden variety members like myself, in the middle of April telling us about concerns about executive



compensation over at Hydro One. It was a very interesting letter.

Are you, my good friend Mr Eves, asking me to believe that your close associate Ms Hutton and your close associate and friend Mr Farlinger at no point over the last while said a word to you about the executive compensation issues involving Ms Clitheroe and colleagues at Hydro One and Mr Osborne and colleagues at Ontario Power Generation?

**Hon Mr Eves:** I have never spoken to Mr Farlinger or Ms Hutton about executive package compensations either at OPG or at Hydro One.

## NUTRIENT MANAGEMENT

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Agriculture and Food, the minister representing Huron-Bruce. Many of my constituents in Perth-Middlesex watched the progress of Bill 81 and the hearings into the Walkerton inquiry with great interest because of the high level of agricultural activity in my riding. I understand that the proposed Nutrient Management Act will be extremely important in the implementation of many of Commissioner Dennis O'Connor's recommendations.

I also understand there have been those in opposition benches who have been critical of Bill 81, saying this legislation is too enabling. Of course those are the same members, particularly the member for Ottawa South, who on December 12 said, "I changed my mind. I honestly believe I never said that. I didn't recall at the outset that I said what I said."

Minister, considering the recommendations put forth by Justice O'Connor, should this government amend this bill before it's passed so the recommendations can be better implemented?

**Hon Helen Johns (Minister of Agriculture and Food):** Let me say that Bill 81 is an integral part of what we on this side view as a clean water strategy that is going to be led by the Ministry of the Environment. Because of the complexity of the recommendations that were made by Justice O'Connor, we needed time to study those recommendations.

After going to the hearings and listening to what people said, I made the decision that we needed time to look at the decisions that Justice O'Connor has made. I took his advice that says on page 138 of his report, "The Act"—that's Bill 81—"if passed in its present form, would certainly provide the province with the authority to create the tools it would need to develop the farm water protection planning system that I am recommending." We took his recommendations and we'll take them when we move forward in the regulations if and when Bill 81 gets passed by the House.

1530

**Mr Johnson:** It does seem irresponsible and unwise to tie our hands by introducing specific amendments to Bill 81 at this time.

I am pleased to know that Justice O'Connor believes this bill to be a reliable tool to ensure the safety of our drinking water. That is, of course, if it's consulted upon properly. I know many farmers and farm groups in my riding have ideas as to the specific regulations. Minister, who shall be consulted in the production of these standards and regulations?

**Hon Mrs Johns:** Let me say that Bill 81 is the bill in this House that has had the most consultation of any bill. It has been out after first reading; we had discussions after second reading. My colleagues Mr Galt and Mr Barrett ran consultations early on. The former minister, Brian Coburn, also had lots of consultations in the office, and we intend to follow that history and work on consultations.

It says in the report from Justice O'Connor that the Ministry of the Environment and OMAFRA need to work together. A number of things need to happen. We need education, training, enforcement, and we need to do those things in consultation with one another, and of course we will continue to do that as we move forward to get Bill 81 passed through third reading and we start to work on the regulations.

## HEALTH SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. The crisis in waiting times for radiology exams is poised to get a whole lot worse, and that is because the proposals coming from the relative value schedules committee make it clear that changes in radiology codes could reduce professional fees for radiology and nuclear medicine from between 35% and 50%. Radiologists have made it clear that that would prompt a mass exodus of existing and new graduates out of the province at a time when Ontario is already short 150 radiologists.

Minister, you have two members who sit on this committee. Why are they, on your behalf, considering changes that would cause such an exodus and such a shortage of radiologists, which could only lead to even worse waiting times for diagnostic services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I can certainly inform this House that if one compares on a number of different levels the amount of service that is being offered and the amount on behalf of the taxpayers of Ontario that we're spending in these areas, the amount has gone quite substantially up. In the year 1995-96, OHIP payments for CT services were close to \$30 million; now they're close to \$56 million—a 91% increase. For MRI services, the OHIP payments were \$4.9 million in 1995-96; now they're \$19.3 million—a 294% increase. So I'm not sure what the honourable member is talking about, but that's the reality of the situation.

**Ms Martel:** Minister, the question had to do with a shortage of radiologists and how that would be impacted by the proposals that are coming forward from the committee. Those proposals have been made public as of

September 2001. They say very clearly that changes in radiology codes will result in a decline of professional fees in the order of 35% to 50%.

The Ontario Association of Radiologists has polled its new residents regarding the changes, and it's clear to them that 95% of new graduates will not stay in Ontario if this proposal remains unchanged. We already have a shortage of 150 radiologists. This shortage, in conjunction with your government's underfunding of medical imaging equipment and your ongoing clawback of technical fees, will mean that thousands and thousands of Ontario's residents who need timely access to X-rays, mammograms and CT scans are going to see those waiting lists dramatically increase. That will have an impact on patient care.

What are you going to do to ensure that the province does not face a mass exodus of radiologists, which will impact directly on patient care?

**Hon Mr Clement:** I hope the honourable member will understand when I decline to involve myself in discussions about remuneration on the floor of the Legislature when we have a perfectly good forum in which to do so. So I am not going to take the bait. I'm not going to engage in the discussion so that she can be the collective bargaining agent on behalf of the radiologists. I'm not going to do that, but what I will say to this House is that when they were in power there were 12 publicly funded MRIs and now there are 43. Since we've been in power, when it comes to mammograms, we have been lauded by CIHI, the Canadian Institute for Health Information, which indicated that women in Ontario per capita are receiving more access to mammograms, and we were lauded for that. So those are the facts that the people of Ontario care about, and those are the facts that we care about.

**The Speaker (Hon Gary Carr):** New question.

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health and it's in regard to the diagnostic imaging access report that was released this morning.

Radiologists have been telling you for some time that patients, people, are having woefully long waits for treatment and diagnosis of their disease. In Hamilton, people are waiting 16 weeks for a CT scan. In Kitchener, people are waiting 15 weeks for a CT scan at the Grand River Hospital, and 30 weeks at St Marys. In Sault Ste Marie, a seven-week wait for mammography; in Windsor, a 12-week wait for mammography. Minister, this is the difference, potentially, between a lumpectomy and the removal of an entire breast. If you don't want to talk about fees for doctors, maybe you'll talk about why people have to wait this long for diagnosis in Ontario.

**Hon Mr Clement:** I'd be happy to review those statistics. I can tell you again that when it comes to investment in this area, certainly the 91% increase in CT services and the 294% increase in MRI services tell the story about the fact that we, on this side of the House, have recognized the importance of diagnostic services.

These amounts of investments have been made directly available to the people of Ontario.

Again, the Canadian Institute for Health Information, an independent body, a national body, has released a comprehensive report recently. They indicated that women in Ontario, per capita, are receiving more access to mammograms than anywhere else in the dominion of Canada, to potentially identify breast cancer risks earlier. That is the record that we are proud of on this side of the House, that is the record that we are going to continue to invest in, and that is for the benefit of the people of Ontario.

**Mrs Pupatello:** Minister, don't be proud. Rather, explain the five-month wait in Peterborough for bone density tests for osteoporosis; 10 weeks for a cardiac test in Peterborough. Explain the seven-week wait for mammography at the Rouge Valley health system, the eight-week wait in Windsor for colorectal cancer checks. Explain the 13-week wait in Stratford for a CT scan. You've removed \$200 million over the last seven years from testing. That represents 90% of all the tests ordered. That's besides the MRIs. Ontario is short 150 radiologists. Almost without exception, the diagnoses are longer today because people can't get tests on time; therefore, treatment is late. That means more cancer growth, more bone fractures.

Why, Minister, in your Ontario, is the treatment worse today than it was before you took office?

**Hon Mr Clement:** Let me quote from the Toronto Star; I can't believe I'm actually doing this, but I am.

It says, "A shortage of trained technicians has sparked a crisis in cancer treatment, forcing some patients to wait for life-saving radiation therapy, hospitals say." When was that quote? Oh, June 22, 1989. "Princess Margaret announced yesterday it will refuse to treat new patients for six weeks after September 30, 1989." That was the record of the Liberal government. That was the record that we had to fix after we came to power.

One of the most well-respected coordinators of radiating treatment said, "What we've actually seen in the last few months is that the waiting times have started to come down. We've been working very hard at cancer centres, but the waiting lists have come down." That's our record compared to the record of the Liberal government, and I would compare those before the people of Ontario any day of the week.

## YOUTH CRIME

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is to the Attorney General. Minister, I want to ask you about a very disturbing story that appeared in yesterday's Globe and Mail. The story profiled an alleged case of bullying in a school in Halton that went on for a number of years. According to the claim filed by the plaintiffs, one of the bullies told the victim that a young offender's conviction for assault would be "well worth it to see you unconscious."



Minister, I ask you, what does that say about our youth criminal justice system when abusers feel that the penalties for serious crimes like assault are literally something to laugh off?

**Hon David Young (Attorney General, minister responsible for native affairs):** Let me start by saying that I cannot and I will not comment on the particular case that my friend referred to. I am in a position, though, to say to you that I have, on numerous occasions, dozens of occasions over the past year, gone to Ottawa, spoken to my federal colleague, spoken to my counterparts in other parts of this country, to indicate that we are not satisfied with the youth criminal justice system in this country or with the new act that has been brought forward by the federal Liberals.

They brag about being tough on crime, but indeed they are anything but that. What they have brought forward is an act that is three times as long as the Young Offenders Act, five times as complicated and 10 times as costly to administer. The federal Liberals have failed the people of this country for some considerable time, and it appears as though that will continue.

1540

**Mr Gill:** Thank you, Minister. Clearly there is a need to reverse this trend toward weaker treatment of young offenders. Every violent crime, regardless of whether it is committed by an adult or a youth, deserves to have serious penalties attached to it.

People of every political stripe recognize that improving the youth justice system is long overdue. I think every member has been confronted with a case in his or her riding where the community was outraged by a young offender receiving far too lenient a sentence. We need to change the way we deal with young offenders.

Minister, in regard to the federal government's Youth Criminal Justice Act, what success have you had in pressuring Ottawa to back down on or modify their flawed legislation?

**Hon Mr Young:** Indeed, we did go forward with what I believe to be a hundred meaningful, constructive amendments that we suggested the federal Liberals insert into their proposed legislation, and at the end of the day we would have an act that is responsive to what the people of this province and indeed the people of this country want. Some 72% of Canadians have said they have little or no confidence in the current Young Offenders Act. I say to you they will have less confidence in the new act that the federal Liberals have passed when it is proclaimed next year.

The only measure of success we have had in speaking for the people of this province, and indeed the people of this country, in many respects, is that we have convinced the federal Liberals to delay the implementation of this new legislation. Every province and every territory asked for that, because indeed it is complicated, costly and cumbersome and it will not serve the interests of the people of this great province or the people of this great country.

## PUBLIC SECTOR COMPENSATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Premier. Do you believe that the \$2.3-million compensation being awarded this year to Mr Osborne as president and CEO of Ontario Power Generation is appropriate?

**Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs):** I understand that the Minister of Energy has an answer to this question.

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** If he was getting \$2.3 million, I would say no. But the fact of the matter is that your slipshod Liberal researchers put you in a pickle December 12 that you had to try to wiggle your way out of outside here by claiming that when you make quick decisions, you get yourself into trouble. Once again you got a quick decision on your hands and you got yourself into trouble. Thank God you don't have your finger on the button, because six million people would be dead if every time you made a quick decision, those kinds of decisions came out.

Am I upset? Yes, because you're maligning a member of the public who is working at OPG. No, it's not accurate. No. If it was \$2.3 million, it would not be acceptable. The total isn't. You're counting in accrual, an amount of money set aside in a pool that is accrued year after year. You're counting it—

*Interjections.*

**Hon Mr Stockwell:** Let me finish. You're applying that money to one year, and one year each and every year. I know this is complicated, but it's not accurate. You did lousy research. If you had it on good research, you would have known that was wrong. So, no, \$2.3 million is not acceptable.

**Mr McGuinty:** I'm going to recommend to the minister that he quite simply pick up the phone, contact Mr Osborne and ask him what he is making. I will also ask him to check the publicly filed documents which provide that he is receiving a total compensation package this year of \$2,337,692.

Minister, given that Ms Clitheroe's package of \$2.2 million was inappropriate, I'm asking you whether or not you consider this package of \$2.3 million to be inappropriate.

**Mr James J. Bradley (St Catharines):** Good question.

**Hon Mr Stockwell:** Good question? What are you talking about? You must be Pavlov's dog. The minute he sits down, you just yell, "Good question."

What we have here is an accrued amount. The accrual runs over three years. If you had read the report that you got off the Web site, it says right in it, "Actual LTIP payouts for performance periods, which commence January 1, 1999, were paid out at the end of the year 2002."

The fact is, the money is not applied year in and year out. You've got to get somebody back there who can give you accurate information. Yesterday you stood in this House and claimed that we're hiding the numbers for all

the OPGs. You went on the Web site and found them all. Today you're making allegations that they get paid this much—completely, actually, undeniably inaccurate. Get some crackerjack people back there. The whiz kids did a better job in their spare time than these guys do full-time.

### PROVINCIAL PARKS

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Natural Resources. Ontario boasts a diverse collection of provincial parks. Not only the people of Ontario but people from all around the world can enjoy these beautiful parks, with such recreational activities as fishing, camping and canoeing.

Not only do these parks serve as a great outdoor experience, but they also provide an economic boost to the local economies. In my riding of Parry Sound-Muskoka my constituents are able to enjoy many of these parks, which are close to home, including Arrowhead Provincial Park, Oastler Lake, Massasauga, Algonquin, Killbear and Restoule—many beautiful parks in my riding.

Due to the OPSEU strike, there were many delays in the parks opening this year on Victoria Day weekend. Minister, could you please comment on the delay in park openings and give me an update on the status of these Ontario parks?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** Our parks are some of the best in the world and we pride ourselves on the level of service that we provide in those parks.

Even though we were a bit behind schedule on the long weekend in May due to the OPSEU strike, our staff worked diligently to ensure that our parks were safe and ready to open as soon as possible. I am happy to inform the member that currently all the provincial parks that should be open and ready to accommodate our campers are open except for one.

On that note, I'd like to thank the hard-working staff who were able to accommodate and relocate campers over the past few weeks. They have demonstrated their professionalism and commitment to our parks system by once again providing the level of standards that our campers have come to expect.

**Mr Miller:** Thank you for that answer. I know the level of service in our parks provides something we can all be proud of. I have also heard that you are an avid camper, and I hope you will take the opportunity to visit one of the many beautiful parks in Parry Sound-Muskoka.

However, the recent weather conditions this spring have been fairly cool and wet; certainly not as nice as last year's warm and dry conditions. Minister, can you update me on the status of the reservations at Ontario Parks for this year and let us know how the reservations are going for the year?

**Hon Mr Ouellette:** It is no surprise, as last Monday I did list during the Heritage Hunting and Fishing Act how I have been a regular attendee at the parks, along with my wife, Dianne, and sons Josh and Garrett.

Due to the poor weather conditions, our parks have experienced lower visitation than normal. However, the publicity that has surrounded the parks issue has broadened the scope of our core group of campers and subsequently has allowed more people out of the province an opportunity to learn about our parks.

Up to now, the use of the reservation service continues to be strong, and there have been more reservations processed to date than at this time last year. Ontario Parks anticipates more than 300,000 reservations this year. Although there is still room in many of the parks, I would urge the people of Ontario who wish to camp to make a reservation as soon as possible, because some of our more popular campsites are already full for the summer. To find out more information, you can make a reservation on the Web site at [Ontarioparks.com](http://Ontarioparks.com).

1550

### AFFORDABLE HOUSING

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Municipal Affairs and Housing. You signed a housing deal with the federal government last week, a much ballyhooed agreement. In effect, though, that deal has downloaded the cost to municipalities, churches and charitable groups. People who have looked at this deal have given your government a D as a grade and, in some places, they've even said an F, or worse than an F. There is almost no commitment from the province to give any monies whatsoever to the building of affordable housing.

Mayor Hazel McCallion of Mississauga has said she will not participate in your deal. She will not do so because it's on the backs of the ratepayers to the tune of \$9.7 million. Mr Minister, will you make funds available to municipalities so that the housing can be built, so they don't have to back away as Mayor Hazel McCallion has just done?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I think the member of the third party wants to be clear on this. What we're asking municipalities to do is waive fees that are a barrier to creating affordable housing, which are passed on in the rents and make them higher.

For example, in Toronto, when you were on council, you voted for a multi-residential rate four times higher than the condominium rate. We're asking that that be rolled back for 35 years. That is not costing the fiscal plan in Toronto one dime. It's just because they're getting zero revenue from your decision to have four times the taxation on rental units as on condos. That's what we're asking for. That doesn't cost the fiscal plan of the city of Toronto anything, because they're getting zero today.

That's a partnership that we think is practical. Remove the barriers and affordable housing will be built. We're not going to block the federal money from coming into Ontario for the first time in 10 years.



**Mr Prue:** For the edification of the minister and those opposite, I believe my vote was in the negative on that particular item, as were those of a great many members of municipal council. Perhaps he should do some research on that.

My second question—

*Interjections.*

**Mr Prue:** Perhaps if the honourable members would just listen—

**The Speaker (Hon Gary Carr):** Order.

**Mr Prue:** Many other cities and charities are crying foul. They are saying it is not fair. They cannot raise the amounts of money that are necessary. There is a very real risk of failure. That risk will put more people on the streets, exacerbate the problem of the homeless and increase the waiting lists.

I ask you again, notwithstanding what some vote of the city of Toronto may have been, will you make the funds available to the municipalities that want to participate so they don't have to put the monies on the backs of the ratepayers?

**Hon Mr Hodgson:** I don't think he understands the program, but to answer his question, we did do a little research. When you were on the city of Toronto council, you supported a motion that maintained the multi-residential tax rate at 4.7 times that of the residential rate. That minute was 4.15, C.1 A.2, April 23 to May 2, 2001.

The second thing you did while you were a member of the city of Toronto council was support a motion in 1998 to create a new multi-residential property tax class. You're on the record for this. That has meant that every rent in Toronto has gone up 15% to 20% because of your actions. We're trying to get affordable rents in this province, particularly in the city of Toronto, over your objections.

## PETITIONS

### HYDRO ONE

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to stop the sale of Ontario Hydro.

"To the Ontario Legislature:

"Whereas the Conservative government plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not help consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand the Conservative government to halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I have also signed this petition.

### CHILDREN'S HEALTH SERVICES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm very proud today to present three petitions signed by hundreds of my constituents living in communities like Pembroke, Eganville, Renfrew, Calabogie, Arnprior, Petawawa, which petitions read in part:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Conservative government is planning to close the children's cardiac surgery services unit at the Children's Hospital of Eastern Ontario in Ottawa by April 2003; and

"Whereas the Ontario Conservative government is planning to centralize all children's cardiac surgery services in Toronto; and

"Whereas the many residents of Renfrew county (including Canadian Forces Base Petawawa), eastern Ontario, western Quebec and the city of Ottawa rely on the specialized care of the children's cardiac surgery services unit at the Children's Hospital of Eastern Ontario; ...

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To cancel all plans to centralize children's cardiac surgery services in Toronto and to keep open the children's cardiac surgery services unit at the Children's Hospital of Eastern Ontario in Ottawa."

I'm delighted to be able to sign and endorse these petitions and present them to the Clerk and to the table on behalf of my constituents, the undersigned.

### POST-SECONDARY EDUCATION FUNDING

**Mr Rick Bartolucci (Sudbury):** This petition is from the College Student Alliance Partners in Learning. It's a petition concerning the double cohort and quality in education. The petition is to the Legislative Assembly of Ontario.

"Whereas, by eliminating the fifth year of high school the government of Ontario has created a double cohort of students; and

"Whereas the government of Ontario has promised that there will be a space at a university or college for every willing and qualified student; and

"Whereas Ontario's universities and colleges have not received sufficient funding from the government of Ontario to accommodate these double cohort students; and

"Whereas the quality of education at Ontario's universities and colleges has been declining in recent years; and

"Whereas the double cohort students will add an additional strain on an already fragile university and college system;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to: provide full funding for every new student entering Ontario's universities and colleges; provide additional funding to increase quality at Ontario's universities and colleges; provide targeted funding to colleges for skills and innovation; and increase the per student funding to the national average over the next five years."

I affix my signature to this petition as I'm in agreement, and I give it to Douglas to bring to the table.

#### HYDRO ONE

**Mr David Caplan (Don Valley East):** I have a petition. It's entitled "Stop the Sale of Hydro One."

"To the Ontario Legislature:

"Whereas the Conservative government of Ernie Eves plans to sell off Hydro One and Ontario's electricity transmission grid—the central nervous system of Ontario's economy;

"Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

"Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for consumers;

"Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

"Whereas selling Hydro One and the grid is like selling every 400-series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

"To demand Ernie Eves and the Conservative government halt the sale of Hydro One until the government has a clear mandate from the owners of Hydro One—the people of Ontario."

I wholeheartedly agree with this petition and I have affixed my signature to it.

1600

#### OPPOSITION DAY

##### CHILDREN'S HEALTH SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** I move the following motion:

That the Legislative Assembly of Ontario offers its unequivocal support to the people in Ottawa and London in their efforts to convince the Eves government to reconsider its decision to remove life-saving children's heart surgery programs from their communities.

**The Acting Speaker (Mr Michael A. Brown):** Mr McGuinty has moved opposition day number 3.

**Mr McGuinty:** I can tell you, on behalf of my caucus, that we very much appreciate this opportunity to speak to a very, very important issue. This matter came as a terrible shock to the people of Ottawa when the government announced very recently its intention to take away from us our children's heart surgery program. The people of London have been fighting this move for several months now.

I can tell you, the government advances the argument based entirely on numbers and outcomes. It is important to take a look at outcomes and to ensure that we are providing quality care in each of those three communities—that is, London, Ottawa and Toronto—but in addition to that we feel it is absolutely essential to take into account what you might call the human factor.

We have had recently in Ottawa an outpouring of support for this program and the children's hospital, the likes of which I have never witnessed in my 12 years in politics. If there is one institution that brings people together, if there's one facility that families in particular will fight for, it is our local children's hospital.

My comments to the government are as follows. First of all, the government alleges that there are problems with outcomes at the Children's Hospital of Eastern Ontario. I say, I'm from Missouri: show me. I have seen no evidence whatsoever that would demonstrate that somehow we are less effective, less safe, when it comes to cardiac surgery in Ottawa than they are here in Toronto at the Sick Kids hospital.

I'm also asking the government to take into account—I'm asking Dr Keon, in particular, to take into account—travel time. Travel time is an important issue on two fronts. Travel time means that we are putting children at risk. I say this because our doctors, both in London and Ottawa, are telling me this. I'm also telling you that travel time presents a real hardship for families. It is one thing to travel across town to visit a child in the hospital; it is hard enough on a family to have a child who is so sick that he or she has to be hospitalized, but then to impose on that family the additional burden of having to travel to Toronto, which could be 350 to 400 kilometres, depending on where you're located in eastern Ontario, is



a tremendous hardship, to say nothing of the costs connected with accommodation here in Toronto, to say nothing of imposing on parents this struggle to juggle the responsibilities vis-à-vis their child here in Toronto and the rest of the family back home, let alone job responsibilities there.

The other thing that I'm asking the government to take into account and Dr Keon to take into account is the impact that the loss of our heart surgery programs will have on remaining programs. One of the things I've learned recently, as a result of my conversations with physicians both in London and in Ottawa, is that medicine is, in a very real sense, a team sport. It turns out that if you lose your cardiac surgery, those surgeons are not going to stay in those communities because there is simply not enough work for them to do. It also turns out that people who are involved in cardiovascular work—that is, using catheters, which is the modern and most effective way to go in many circumstances today—will not do that catheterization, which avoids open heart surgery, unless there's a cardiac surgeon on standby. We've also heard from the kidney people. The nephrologists are telling us, "Unless there is a cardiac surgeon in this hospital, I'm not going to do the kidney work," and so on. This is in effect a house of cards, with one specialty reliant upon another.

We've also learned about the impact this is going to have in both hospitals with respect to the ability to deliver the best emergency response. There are a few cases I would like to bring to the attention of this Legislature and the government, because the government says all they're going to do is transfer elective surgery to Sick Kids and the rest of the programs will remain intact. That's not how it works.

Young Sean McCarthy, who is known as a miracle child in Ottawa, was a cold-water drowning victim. He is, I believe, about three or four years of age now. I had the opportunity to meet him at a very successful rally this past weekend, where people came out by the thousands to support their hospital and their children's heart surgery program. Sean McCarthy had been under water for close to two hours. He was brought to the Children's Hospital of Eastern Ontario, and there they put him on a special piece of equipment, which, as I understand it, both oxygenates and warms the blood externally. That is a very sophisticated piece of equipment that's dedicated to the use of children. It cannot be used and will not be used by anybody unless there's a cardiac surgeon there. If we had had to transport Sean to Sick Kids in Toronto, he would not have survived.

Another case I learned of was a 10-day-old infant, a baby girl, who was undergoing an ultrasound at the Children's Hospital of Eastern Ontario. She was brought in by her parents because she wasn't thriving. She experienced cardiac arrest during the ultrasound. If a cardiac surgeon had not been there to respond immediately and to intervene by way of surgery, we would have lost that child.

Another case, just to show you how varied these can be: a young girl, eight years of age, had been infected by E coli, the same variety that had affected the community in Walkerton, and she went into some kind of hemolytic uremic shock, and she too went into cardiac arrest. Fortunately, this happened in the hospital and, fortunately, we had the cardiac surgeons and the expertise to save her life. So when the minister argues that it's a simple matter of transferring elective surgeries to another city, I am hoping he will understand that it is in fact more complex than that.

I am also asking the minister to take into account, as I am Dr Keon, the length of waiting periods. My understanding is that the waiting times at Sick Kids here in Toronto are much greater than they are at the children's hospital back in Ottawa or than they would be at the London Health Sciences Centre. This should not be seen as one community being pitted against another, one facility being pitted against another; it's a matter of putting in place a network of expertise so that all three institutions, all three facilities, would be able to serve and meet the needs of the 12 million Ontarians. That's what it's all about.

That brings up this notion of vulnerability. I ask the minister, does it really make sense to put all of our children's heart surgery eggs into one basket? What if a hospital—and these things have been known to happen; it happened here recently in Toronto—had a viral outbreak of some kind and a ward or the entire hospital had to be closed down? What if there was some kind of labour issue? What if we experienced a shortage of nurses in a particular hospital? It just seems to me that a prudent and responsible course of action would be to ensure that we have available in a province that continues to grow a number of locations where children's heart surgery could in fact be performed.

The other thing we have to take into account is that there is a body of literature out there, and I've spent a fair amount of time researching this on the Web and through my staff, that does support this concept that says the more surgeries you do, the better the outcomes. It's important for us to keep that in mind. But the outcomes back home in my riding at the Children's Hospital of Eastern Ontario are good. The government seems to be arguing that, in theory, things should not be working as well as they are at the Children's Hospital of Eastern Ontario. But the facts are that those outcomes are up to standard and there is no legitimate or medical rationale that would warrant the closure of that program back at the Children's Hospital of Eastern Ontario.

1610

The other thing we have to keep in mind here is that we're a province of 12 million and we are growing. I can tell you that both in London and in Ottawa there is tremendous growth taking place as well. It would seem to me that in a proactive way, with one eye to the future, what this government should be attempting to do is to ensure that we will be able to meet not only today's

needs but future needs as we bring more children into the province of Ontario.

Just to let you know how important this is to my community, I was involved in an effort back in 1993 to bring paramedics to Ottawa-Carleton, as it then was. They had paramedics up and running in Hamilton, Oshawa and Toronto. The argument I made at that time to the government, and I raised it in the Legislature a number of times, was that we had one of the lowest survival rates in North America in a large urban centre. Eventually, the government relented.

At first, if you could believe it, the NDP government of the day argued that there was no evidence that paramedics saved lives. They actually argued that in this House. It took me six months to collect 55,000 signatures. I can tell you, in about eight days we have collected 80,000 signatures. We simply cannot keep up with the demand for lawn signs. I'm talking about my community back home in Ottawa.

We believe that our hospital, the Children's Hospital of Eastern Ontario, is a world-class facility. Some 30 years ago we fought long and hard to get this hospital to serve 1.5 million people in eastern Ontario. We're talking over half a million kids.

During the past 30 years, we have worked long and hard and invested millions and millions of donor dollars and millions and millions of volunteer hours to develop our facility into a world-class centre of excellence for children's health care. So this government has another thing coming if it thinks it can walk into Ottawa and say, "We are appropriating this program." If it intends to do that, then it's going to have to put a lot more evidence on the table, because I can tell you, we have not seen it. If I have to rely on government experts on the one hand, and on the other hand my folks back home who work themselves to the bone day in and day out looking after kids, I'm going to rely on my local experts.

There are many in my caucus who would like to speak to this, and I will not deprive them of the time they need to do an effective job, but let me just wind up by saying this. This is a very important issue for the people of Ottawa and the people of London. We're talking about our children's health care. Yes, you are damned right it is an emotional issue when it comes to ensuring that kids are getting the best health care. But beyond that, this government has a responsibility to put on the table facts. It has failed to do so. The facts that I am aware of support the maintenance of those programs in those communities, and that's why we are fighting so hard to maintain children's heart surgery programs in Ottawa and in London.

**The Acting Speaker:** Further debate?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I join in this debate and thank the Chair and the honourable members for an opportunity to discuss this very important matter from my perspective.

As this House knows, on November 5 I announced that the Ontario government would review the delivery of highly specialized children's hospital services in Ontario—not just in London, not just in Ottawa, but

throughout the province of Ontario. It was on May 23, just a few weeks ago, that I received and accepted the findings of that report.

We wanted to make sure that children in Ontario receive the best possible care and the best possible outcomes, phraseology that the honourable Leader of the Opposition echoed in his remarks as well. Experts and specialists, hospital CEOs, five doctors responsible for overall pediatric services at their hospitals, including CHEO, were on the committee. These experts took their time. I gave them all the time in the world to examine the impact the changes would have on their hospitals in general and specifically how best to ensure the delivery of surgical services to children.

This report I believe is so compelling that I would like to refer to it, because in many ways it speaks for itself. The report has a number of sections. One of the sections deals with what other jurisdictions have found when dealing with precisely the same issue. They refer to, in the first instance, the Pediatric Cardiac Surgery Inquest Report in Manitoba and quote from that report. This was after the completion of a chief medical examiner's inquest after some terrible tragedies in Winnipeg. From 1995 to 1998 there were 12 children who died who underwent cardiac surgery in Manitoba.

"The inquest report concluded"—in part—"The available information suggests that the limited number of cases that can be undertaken in a province like Manitoba, with a population just over one million, represents an increased risk of morbidity and mortality, particularly in the case of high-risk surgery. Even if the catchment area were expanded, the base population would still not be large enough to support a full-service program. The inquest recommends pediatric cardiac surgery be re-initiated in Manitoba only as part of a regional program in western Canada."

The report that I received in May goes on to say, "The Manitoba program has since formed part of the western Canada specialized pediatric cardiac surgery program sited in Edmonton. The western program includes workloads from British Columbia, Saskatchewan, Alberta and now, Manitoba."

What that means is if you have a sick child in Calgary, that child goes to Edmonton; if you have a sick child in Saskatoon, that child goes to Edmonton; if you have a sick child in Winnipeg, that child goes to Edmonton; if you have a sick child, in some instances, in Vancouver, that child goes to Edmonton.

The report then examines the public inquiry of 2001, the Bristol Royal Infirmary Inquiry of Bristol, England. Our report says, in part, "The Bristol inquiry called for the development of 'standards that should stipulate the minimum number of procedures which must be performed in a hospital over a given period of time in order to have the best opportunity of achieving good outcomes for children.'"

Our pediatric report then refers to the Office of the Chief Coroner of Ontario, which "investigated three deaths associated with the pediatric cardiac surgery pro-



gram at London Health Sciences Centre.” That report “noted that after considering the factors of low volumes, human and equipment resources, the decision of the LHSC”—that is to say the London Health Sciences Centre—“board of directors to discontinue pediatric cardiac surgery program was ‘entirely consistent with international trends in pediatric cardiac surgery where services tend to be centralized rather than decentralized.’”

That was their examination of other jurisdictions.

Let us get back into the Ontario context, the provincial context. They examined the trends over the last few years, the trends in pediatric cardiac surgery. The report goes on to state, “Between 1996 and 2000, the zero to 14 population in Ontario remained relatively constant, in contrast to the total population, which grew by almost 5%. The provincial population growth rate is expected to continue to outpace the growth rate in the zero to 14 age group, which, in fact, will experience a negative growth rate.” That’s a very poor way of saying that the number of kids ages zero to 14 in Ontario is actually going to decline, according to demographic trends. “Between 1999 and 2010, the zero to 14 population in Ontario is expected to decline by 4.8%,” while “the total provincial population is expected to grow by 13.5%.”

1620

This is important because it indicates that the number of individuals who may require the surgery is expected to decline, even though in Ottawa, as in many other parts of our province, the general population is increasing.

The report goes on: “Consistent with a decline in overall tertiary pediatric in-patient surgical volumes, tertiary pediatric cardiac surgery has declined from 727 total cases in 1995-96 to 638 total cases in 2000-01 or by 12.2% for the zero to 14 age group.” The whole number of cases in Ontario has declined in the last six years by 12.2%.

Why is that happening? Part of it is happening because of good news. “Changes in medical practice, in large part, appear to account for a shift in the percentage of tertiary cardiac cases by the age groups”—that is to say, new procedures, better procedures. In fact, doing multiple interventions rather than one operation after another as a series of separate procedures over time reduces the number of operations. “As well, these procedures”—the report goes on—“are being done in younger children. This likely obviates the need for repeat surgery at later stages in life.”

The bottom line is this: the number of cases is declining. They are not going up even with population growth. Even with massive population growth in the Ottawa area, the number of cases is declining quite significantly since earlier reports had been studied in Ontario.

The report then goes on to examine the individual issues in the individual parts of Ontario where we have cardiac or other pediatric services. I will confine my comments to the Children’s Hospital of Eastern Ontario, although there is also commentary about the London Health Sciences Centre in London.

The pediatric report says, “CHEO has experienced an 8.2% reduction in tertiary pediatric cardiac surgery cases between 1995-96 and 2000-01 for the age group zero to 14 (excluding neonate). Based on CIHI data”—the Canadian Institute for Health Information, an independent body of the government of Ontario—“CHEO experienced an average annual volume”—this is the number of cases they’re doing every year—“of 104 cases, averaged over the six years.” When you add in the neonates, when you add in the 15- to 18-year-olds, “CHEO has averaged 121 annual cases over the six years.”

And here’s another interesting fact—

**Mr Richard Patten (Ottawa Centre):** Some 145 last year.

**Hon Mr Clement:** No, not 145. The honourable member is wrong. When you add everything you could possibly add in, it’s 121.

The report goes on: “CHEO experiences the highest rate of tertiary cardiac service by non-Ontario residents. CHEO has indicated,”—these are CHEO’s facts—“that Newfoundland has accounted for a number of these cases, as have residents of Quebec. Out-of-province cases have constituted from 22% to 35% of the total CHEO tertiary cardiac surgery cases in a five-year period.” That’s how they keep their volumes as high as they are, which are still low. That’s why it’s relevant.

The HSRC—the Health Services Restructuring Commission—expressed concern over the low volumes experienced by CHEO and recommended that volumes be monitored over an 18-month period to see if suggested annual minimum volumes of 200 were achieved. It was generally considered at the time from clinical and medical evidence that if you were below 200 cases a year, the kids who had that operation were at risk.

**Mr Patten:** Where did they get that 200 figure?

**Hon Mr Clement:** It’s a clinical determination. Read the report.

Since the HSRC review, the CHEO in-patient volumes have further declined. They haven’t gone up since the 1999 review; they’ve gone down to 90 in-patient cases for the zero-to-14 population. They are low; they are considerably below the 200 threshold which is considered clinically advisable, and they’re going down.

Now I get to an interesting page, given the honourable Leader of the Opposition’s dissertation. This is the section entitled “Key Considerations.” These are the things the pediatric review committee considered before rendering its conclusions. I will read into the record each and every issue that was considered by the committee.

The first is “Changes in Pediatric Cardiac Surgery Practice.” They conclude, “One noticeable trend since the time of the HSRC’s work was that the volumes of in-patient tertiary pediatric surgery overall, as well as the volumes of in-patient tertiary pediatric cardiac surgery, were decreasing.”

*Interjection.*

**Hon Mr Clement:** The next consideration is “Clinical Research Indicating that Outcomes are Related to Volumes,” in answer to the honourable Ottawa member’s

barracking. "Various researchers have clearly established the direct linkage between the number of procedures done and successful outcomes ... In fact, an area of strong consensus for the" committee "was that thresholds (minimum volumes of procedures, or specific activities) to maintain clinical proficiency/competency were as important for the entire team supporting patient care (physicians, nurses, perfusionists, infection control specialists, nutritionists, respiratory therapists, other allied health professionals) as for the individual physicians themselves. Likewise, the requirement for 'critical mass' extends to both a critical mass of patients for the team to maintain its skills and expertise and a critical mass of human resources to support the multiple facets of a program." They considered that.

Next is, of course, the thing that we all agree on, "Best Interest of Children." They recognized, they considered, they researched, they debated in the pediatric review committee the very point the honourable member, the Leader of the Opposition, made. The committee "recognized that many people associate services 'close to home' as being in the best interest of children and may not be aware of mortality rates that can vary." They are sensitive to the argument that people want to be as close to home as possible, but they have to balance that with a very technical, cold term, "mortality rates." We want to keep as many kids alive as possible. That's what that sentence means.

Next, "Interdependencies Among Pediatric Cardiac Surgery, Pediatric Cardiology and Other Pediatric Programs." Again, they considered the very point the honourable Leader of the Opposition made. They say, "Changes to one component would have direct and indirect effects on other components." They considered that.

They considered accessibility. "Ontario has a legal commitment to provide services in both official languages." It goes on to say, "Other important aspects of accessibility are the geographic and demographic realities of the province."

Finally, they considered program cost, but they say the committee "did not undertake a detailed costing of programs or cost implications." They wanted us to know that this was not a cost-driven decision.

After considering all the issues raised by the honourable Leader of the Opposition and all the issues that should have been raised, they came to the conclusions that were found in the report.

1630

The first recommendation: "To ensure best outcomes, a coordinated system of tertiary pediatric cardiac services is required in the province and includes both surgical and medical services." That's why the head of the London Health Sciences Centre is so excited about this report. We're finally going to have a coordinated system for pediatric cardiac services in the province of Ontario, and I say it's about time.

They say, "Tertiary pediatric cardiac surgery should be centralized on one site with a targeted implementation

date of April 2003." They considered all the factors and, in order to ensure the best outcomes for our kids, that is the recommendation they came up with, along with the other recommendations.

This has been an emotional debate. It's been emotional for my colleagues from Ottawa and London and it's been emotional for all of us. I can tell you I did not wish for this report to be taken lightly. I did not consider the report lightly. It was one of the most difficult decisions I've had to make as Minister of Health and Long-Term Care. Yet, to be absolutely sure this report examined every facet and every angle, this government was willing to ensure that a second opinion was also part of the discussion. That is why last week at this time I was pleased to inform this House of the appointment of a pre-eminent cardiovascular surgeon, one of the pre-eminent medical minds in the Dominion of Canada, Dr Wilbert Keon, as a one-man investigative person who has the ability to review the review, speak to any individual he wishes to speak to, examine any data he wishes to examine, consider any matter he wishes to consider and render a report within 14 days.

I said at the time, one week ago, that I would be willing to accept whatever findings, positive to the report, antithetical to the report or in addition to the report that Dr Keon, an Officer of the Order of Canada, was willing to make. I would like to challenge my friends on the other side of the House to come to the same conclusion. I challenge them to accept whatever findings, conclusions or recommendations Dr Keon comes up with just as I have accepted to do. Yet, we have a Leader of the Opposition who is not willing to do that.

The Ottawa Sun asked him that very question: "Unlike politicians who answer to their electorate, Dr Wilbert Keon isn't as affected or influenced by public opinion. Could his appointment become detrimental to the cause?" Here's what the honourable Leader of the Opposition said: "First of all, I am grateful the Tory government has come to understand that their study was not comprehensive." Those are his words. "I have confidence in Dr Keon," the honourable Leader of the Opposition said, "in bringing a comprehensive approach to this issue, including considering the impact of travel time and the impact this will have on delivering emergency care to all of the children of eastern Ontario." Incidentally, the original report did that, but that's fine. We have a difference of opinion.

"Sun: 'What if Keon decides the recommendations are correct?'" Aye, there's the rub.

"McGuinty: We'll wait and see what he does, but I have confidence in Dr Keon." Is that a yes or a no? I can't tell.

"Sun: But will you stand behind the decision?"

"McGuinty: I have confidence in Dr Keon."

Well, of course, we all have confidence in Dr Keon. That's not the issue. I challenge the honourable members: take the politics out of it; take your self-interest out of it; take your electoral dreams out of it; take your visions of measuring tape in ministers' offices out of it. Choose to



do the right thing: choose to accept the recommendations of Dr Keon on a non-partisan, non-political basis, just as I have undertaken to do. Join me in making this a non-partisan issue.

If you do not do that, I am sorry, Mr Speaker, they are being partisan, they are being self-interested. I question whether they will have the best interests of the children of Ottawa at heart if they will not come on board with whatever Dr Keon comes up with, because they themselves have said they have confidence in Dr Keon.

There was an interesting guest column today in Ottawa, by a registered nurse by the name of Yvonne Craig. I've never met her. She said some interesting things. She said, "I am a nurse. I am also a mom of two surviving triplets. I have the utmost respect for the staff at CHEO and my children have certainly benefited from the excellent care provided there. My son Joseph spent much of his 21 months in and out of the hospital. He died at CHEO as a result of numerous medical complications of his premature birth. The staff were wonderful and supportive at a most difficult time for us...."

"Having said all of that I am in support of closing the pediatric cardiac surgery unit. I realize this is not a popular stance right now but these are my reasons:

"This decision is not the result of a politician trying to trim a budget." She goes into the report of the leading pediatricians.

"I am sure," she goes on, "that the current team at CHEO is excellent at what they do. But the reality is that, tracking the numbers, the need for these types of procedures is diminishing over time (with new drugs and alternatives to surgery being used)." She then goes into the statistics which I read into the record.

She says at the end, "Opposition politicians have been quick to jump on the bandwagon and blast the current PC government over this issue. In my opinion this is a shameless ploy to garner votes over a highly charged emotional issue. They are quick to portray themselves as saviours of sick children when in fact if they were in power they would be doing exactly what Mr Eves and Mr Clement have done—following through on the recommendations of a panel of experts."

*Interjections.*

**Hon Mr Clement:** This isn't me saying this. This is a constituent of yours saying this. This is a constituent in Ottawa, a registered nurse, who had a child who was a patient of the hospital.

I say to you, look at the facts, read the report, consider the analysis, consider the facts in the report, consider whatever facts Dr Keon comes up with, consider whatever conclusions in addition to this report—or in contradiction of this report—Dr Keon comes up with, and join us in a non-partisan, best-interests decision for the people of Ontario and London and Ottawa that will ensure excellent pediatric cardiac services are available now and in the future.

**The Acting Speaker:** Further debate?

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I can't believe that the government would even

consider ending the cardiac surgery service in Ottawa at CHEO. Since I've been in politics, and that's for many years, I've never had a complaint or heard one complaint about the service that was provided. Then the minister has the nerve to stand up and refer to the health care restructuring commission, which has split many communities in this province.

Since the government first announced that children's surgery would be consolidated in Toronto, my constituency office and my home have been flooded with calls and visitors. People in my community are outraged that the sick children in their families—not only their families, their children, their grandchildren—all will have to travel and stay in Toronto, and we know how expensive that is.

**1640**

Anyway, I would hope that the government would reconsider this decision. I know they say it's not to save money. I'd like to believe them, but in many of the things they do, the dollar is the almighty thing and we don't have to worry about our patients and our children.

Health care is very important. I think the people of Ontario will make the government change its mind on this particular issue.

**Mr Rosario Marchese (Trinity-Spadina):** I'm happy to have this opportunity to speak to this resolution presented by the Liberal leader, and we'll be supporting it.

I wanted to raise some questions to the minister, having heard the entire 25 minutes of a speech which was rather clinically delivered; visibly clinically angry as opposed—

**Hon Mr Clement:** Clinically angry?

**Mr Marchese:** It's a clinical report. I understand. I'm just responding to your emotions as being representative of a clinical report, rather than other emotions that flow from this discussion. I just thought I'd point that out.

I know you are convinced by the compelling nature of the clinical evidence you present, but bringing forth Dr Keon as someone who would review the review suggests that you yourself perhaps have some doubts about the clinical nature of this report. I suggest to you, Minister, that if you were convinced by the compelling nature of the evidence you were presenting, you wouldn't need to have recourse to yet another study.

**Hon Mr Clement:** It's not about me.

**Mr Marchese:** It's not about you; I understand that. You're worried about the lives of children; I understand. So are we all. I'm not disputing that.

But you do say you are convinced by the evidence presented in this report. It's hard for the critics to disagree with it, you were saying, right? All I'm presenting to you as an argument is, if you're so convinced by it, why would you need to consider bringing in Dr Keon to review the review?

**Hon Mr Clement:** Because I'm not infallible.

**Mr Marchese:** It's good you would admit you're not infallible, because that has not been the case with the Tory government prior to Mr Eves coming into government. Mr Eves has finally come into this government

saying that, indeed, the Conservative Party is fallible, that it indeed does make mistakes, now admits—like so many other bills presented similar to the municipal bills; the tax bills where they had to present seven different bills to fix each and every one of them—that they were fallible then and will continue to be fallible. I'm happy you admit that reports are subject to problems and reconsiderations and that you too want to be absolutely sure. You're quite right. I applaud you for that. I think it's important to do that.

In addition, you cannot simply rely on clinical evidence to convince this Legislature. I suggest to you that you've got to go and talk to the communities out there and say to them, "Here is the evidence." Before you do anything, you'd better have long discussions with those communities and say, "Here is the evidence, communities. We're trying to save lives. Are you in agreement with me?" before you make these drastic decisions. I suggest and recommend to you that you'd better do a good job of sitting down for a long time with the communities affected, because sometimes the evidence is not as compelling to people as you might think.

When you have people faced with the problem of saying, "I've got to travel to Toronto from who knows where with an immediate surgical problem," they're not likely to be convinced by the fact that it might be a good thing for them to go to Toronto on the basis that they perform more surgeries here in my riding than they would somewhere else, and that the outcomes are likely to be better because they perform more surgeries here than somewhere else. They're not likely to be convinced of the argument, as compelling as it clinically is.

So I say to you, Minister, you've got a job on your hands to do. It isn't sufficient to say, "The study says it's better to do this." It is not.

I say to you that in a study done in 1997 by a task force headed by Dr Richard Hamilton, in a report that was supposed to be presented to the Health Services Restructuring Commission, he concluded the following: "The intensive care and post-operative pediatric cardiac surgery facilities in Toronto, London and Ottawa were excellent. All three centres were also important to area teaching programs, especially in critical care." They also noted "the known benefits of accessibility for patients and families," which I know the current group of people doing the study have looked at. "There was no indication of costs being higher at any of the hospitals. There was strong consensus to keep the programs where they were. Three independent individuals reviewed the conclusions and supported them."

That was a study headed by Dr Richard Hamilton submitted to the Health Services Restructuring Commission of 1997, and they conclude rather differently than the current report that is before us. So I ask the minister and the member from Ottawa: what has changed since 1997? What has changed that we are now faced with a different conclusion today that we didn't have in 1997 in the report headed and submitted by Dr Richard Hamilton? Something happened along the way.

**Mr Cleary:** Money.

**Mr Marchese:** What happened? The member who just passed me said that money is or might be the issue. But we just heard the minister saying, "Money is not the issue." The issue for the minister is putting the lives of children ahead of any other consideration. We applaud that.

**Hon Norman W. Sterling (Minister of Transportation):** That's right. That's the only motive.

**Mr Marchese:** But I do say—and maybe the member from Lanark-Carleton heard my comments; I'm not quite sure—what is different from the report submitted by Dr Hamilton that concluded differently than the current report you're looking at?

I, for one, wanted to present the comments made by Dr Hamilton as a way of, in speaking to you Ontarians, showing that we've got a little problem along the way here in this debate, and that we need to consider a whole lot of other things. Clearly, the minister, prior to making this decision along the leadership campaign trail, said that—

*Interjections.*

**The Acting Speaker:** I'm not going to have these conversations taking place across the floor. If you want to have those conversations, take them outside or you will be outside.

**Mr Marchese:** Clearly, the minister, in his leadership debate, in his desire to be leader—he didn't quite make it, but he did OK—said there was no plan to close these two units, London and Ottawa. But something happened along the way. My question to the minister is—it's hard to ask you because you've already spoken, but hopefully you'll have another opportunity sometime—what happened? Presumably, you didn't have access to the study at the time, and now, having had it, are so convinced that you've changed your mind. That could happen.

**Hon Mr Clement:** That's what did happen.

**Mr Marchese:** The minister says, "That's what did happen." But you've got to explain this to the public, of course. Yes, you think you're doing it now, and maybe you've been in Ottawa a number of times, maybe you've been in London a number of times, talking to the good people there, saying, "Look, I now have a submission here and the clinical evidence says your kids, should they have a fatal problem to deal with, would be better served in Toronto." Maybe he's already been there a number of times, over and over again, talking to the good people.

**1650**

I don't know what the minister from Lanark-Carleton is saying by shrugging his shoulders. Maybe he has talked to you, presumably he has, and maybe he has talked to your community. I don't know. But I hope so. I hope if he hasn't done so, he will come to the community to present this report, because if he hasn't done that, I'm telling you, the clinical evidence in and of itself will not satisfy people's desire to see this particular service close to their home. Forget about the language issue—don't forget about it; there is a language issue. French-speaking Ontarians of course have some concerns, and maybe this



will be addressed, presumably by Dr Keon. I'm not quite sure; maybe it will. But the issue of distance is a serious matter. It will not be assuaged very simply by saying that they do it better here in Toronto; it will not. It's OK for me, because I live here. But I'm not sure the people from Ottawa, London and beyond will feel happy and assuaged by that argument.

I remind the minister of a little matter that was asked about in a question by a colleague of mine from Nickel Belt, something that I want him to consider in the context of this discussion, and that is the matter of the Champlain District Health Council and the decisions of course that they made with respect to this and the role they played with respect to this, and the fact that—

**Mr Patten:** That's in Ottawa.

**Mr Marchese:** In Ottawa, yes.

*Interjection.*

**Mr Marchese:** I beg your pardon.

Ms Sweetnam is one of the people heading this district council there. What we have in Ottawa are two councillors who have been appointed by the city to represent the city council—

**Hon Mr Sterling:** Talk about the issue.

**Mr Marchese:** I want to bring it up in this context because I think it's pertinent.

Alex Munter and Alex Cullen have been appointed by the city of Ottawa to represent them on this district council, and the Minister of Health has refused to accept those appointments. When he speaks about not bringing politics into this, he was speaking to the Liberals, presumably the New Democrats as well, these two representatives—I know, member from Lanark-Carleton, in your mind it has nothing to do with it, but I wanted to bring in the issue of politics. You're going to have an opportunity. You're going to have 11 minutes to speak to this, God bless you. I want to hear you.

The minister said, "Please don't bring politics into this," and I wanted to interject with the issue of politics, and that is, Alex Cullen and Alex Munter are the two appointments of the city to sit on this district health council, and they have been rejected by the minister. On what basis? We do not know. We don't know. We believe there is politics involved. We believe it is the habit of this government to only appoint Conservative members to boards, agencies, commissions and any other appointment they have, wherever they may be made.

This government is unashamedly—not bashfully—appointing, only 99.9% of the time, Tories to sit on boards, agencies and commissions, and in this case district health councils, to represent their interests. They're unashamed about that.

I presume the Minister of Health would say, "Oh, my goodness, that wouldn't be politics, no, because we're not interested in politics in these issues. We're interested presumably in the larger issues, and the politics is the least of our concerns."

Well, these people happen to be New Democrats, and it wouldn't be in the interests of the Conservative government to say yes to those two appointments even though

these are the two appointments made by the city of Ottawa. The city of Ottawa says, "These are the two people we want." I'm assuming that the city of Ottawa politicians are not all New Democrats. I could be wrong but I don't think they are. I'm also assuming they are not all Liberals. I could be wrong, but I'm also assuming many of them are Tories. I'm sure there's a healthy mix, and they decided, unequivocally, that those two people would be the representatives on that district health council. This minister has said, "We will not have it." They want Tories on those boards. These two individuals have been unequivocal in their opposition to dismantling these two units—Ottawa, London—and setting up shop at Sick Kids here in Toronto. They made their views very clear.

It is also very clear that Ms Sweetnam is a very open supporter of the Conservative Party; makes a healthy financial contribution to them. It's not unusual. They all do. They all give fine contributions to the Conservative Party. I don't dispute that. I just say that as long as they're Tories they are OK, and if they happen to be something else they're not. In particular, if they happen to be New Democrats who disagree with what these district councils are doing and in particular disagree with what the government may be doing, the Minister of Health and the others say, "No, it's just unacceptable."

That's not politics, but for us as opposition parties to disagree with the minister, that would be political. That's politics. That's taking advantage of people's emotions in Ottawa and London. But when he plays politics, good heavens, we need to transcend political considerations because that's what we as a party are all about. I raise that in the context of what the minister said earlier on in his remarks, that what opposition parties are engaged in is politics.

What I am saying is that we're dealing with a matter that involves people in a very visceral way, and when it involves people in a very visceral way you've got a lot of persuading to do; that numbers and facts and clinical evidence in and of themselves will not be sufficient to persuade or dissuade people from whatever beliefs or feelings they've got. Is it wrong for opposition members to say people are very concerned? Is it wrong to say that the distance from wherever they are to here on University Avenue is not an issue, is not a consideration for people? Is it wrong to suggest that the fallout of such decisions could have implications that we may not like? Yes, it may not attract, it may not recruit certain doctors to those places because of such decisions. Is that good or bad? I think it's bad. Is that a consideration one should consider? I think it is. We need to discuss the negative consequences of such decisions on communities and on those hospitals.

Those are social considerations, psychological considerations, sociological considerations, health considerations, political considerations, and while the minister presents arguments, as the report does, which are indeed interesting and indeed compelling, we have a problem to deal with politically, and I am not quite sure this is the solution. I'm not quite sure this is the solution, to bring

the services to one unit here in downtown Toronto. I'm not convinced. I don't think many people are convinced about it, and it's quite possible Dr Keon may suggest a process to deal with this and a solution that will satisfy the clinical results presented to us. But also satisfy the worries, the visceral worries, that people have in those communities in Ottawa and London and beyond, because it wouldn't be just those communities.

1700

I hope that's what Dr Keon will bring forth. Clearly, we support his nomination. Clearly, the man is skilled in his field, and hopefully he will bring forward results that will attempt to bridge the gap between the clinical evidence and the psychological facts that people face when they're dealing with a problem of their own or of their children or of a family member or someone they know. There is a gap that needs to be solved. I'm convinced the minister understands that; that's why I think he appointed Dr Keon. Unless you bridge that gap, the results in and of themselves which he finds compelling will not be sufficient, in fact will have deleterious effects for them politically. I'm making this argument as a way of not just making a political argument to help me but as a way of helping him, which helps all communities.

This is about how we find solutions to help communities sort out and deal with medical problems. While it is true that the numbers of surgeries are going down, the minister quite properly, probably, said, and may be correct, that even though the city of Ottawa may indeed see an increase in numbers in the area—the mayor argues 400,000—the minister argues that may not affect the clinical results he was speaking about.

That may be all true, and Dr Keon may indeed validate such a conclusion, but it still will not solve the problems we've got, because when you're dealing with social problems of this kind it goes beyond numbers; it goes beyond evidence. It's like when I was the Minister of Culture, trying to convince my caucus and cabinet that culture was an incredible contributor to our economy. Most people look at you funny because they say, "That might be true, but are people out there demanding that they have more cultural funding? Are people in the streets saying, 'We want more money for theatre, for the Big Six, the symphonies and the ROM and the galleries and so on?'" If people aren't clamouring for it, the fact that the evidence says that culture is an important contributor to our economy means nothing. So it didn't matter how many times I brought those numbers in front of the cabinet or caucus; it was irrelevant because governments respond to the issue of pressure out there, and if people are not pressuring you one way or the other, the evidence is irrelevant.

So what you, member from Lanark-Carleton, have to take into account is exactly what I'm talking to you about. You've got people in your area demonstrating. Of course you do, and you know that. And rather than be arrogant and say, "Look, I've got the papers, I've got the studies, I've got doctors, I've got people saying, 'You

guys are wrong,'" rather than saying that, bridge the problem. I'm trying to help you out.

Member for Nepean, you've got the same problem, right? John, you have the same problem? I'm sure people are coming to you, saying, "Johnny, we've got problems here. We've got to fix this." We just can't go through this without your getting hurt. You're going to get hurt politically. Yes, you might be right, John, former minister of Comsoc, you might be right. But, look, people out here are demonstrating visibly, actively. We can't approach this matter very clinically, very coldly. You've got to respond with some heart and some emotion, and we're appealing to you to look, to find a solution. That's what they're doing; that's what they want.

I don't see this approach being taken by the Minister of Health. The Minister of Health is saying to the opposition, Liberals in particular—he wasn't addressing me; I was here but it doesn't matter—he was saying to the leader of the Liberal Party, "Look, if the report of Dr Keon says this, will you accept it? Yea or nay?" I don't think that's the right approach. I really don't.

Dr Keon may or may not find the appropriate solution. He might, but if he doesn't address the human element, he will be wrong and you will be wrong. Putting the Liberals in a position—

*Interjection.*

**Mr Marchese:** You'll be able to comment on this. Putting the Liberals or us in a position to say yea or nay is not the correct approach. I hope Dr Keon—

*Interjection.*

**Mr Marchese:** Sorry, Tony, I didn't hear you. I didn't hear.

I hope that's what Dr Keon will be doing, but I don't know that. It's as if you would almost need, on issues of this import, a referendum out there in those communities, saying, "Do you want this or not?" The issues are so important to people that you almost need, I would venture, a referendum on such questions because they're not going to take it lightly.

Minister, I'm saying to you, don't be so arrogant in your approach to this. I saw a bit of clinical arrogance as you were presenting this report. I did.

**Hon Mr Clement:** No. I'm relying on facts. Excuse me.

**Mr Marchese:** I know. You're lining up the facts, but that's what I'm saying. I am saying to you that sticking simply to facts is not the right approach. I think you should make the facts known to people, which you are doing, but you then have to be careful about what else you do. That's what I'm recommending you do. What else can one say that hopefully will persuade this government to be very careful?

Dr Joe Reisman, the pediatrician chief, and the chief executive, Garry Cardiff, condemned the move to close this unit. I am convinced they have compelling arguments to make as well. It's quite possible that you, the government, have reviewed their arguments. I presume you didn't find them compelling enough to refer to them.

**Hon Mr Sterling:** They were on the committee.



**Mr Marchese:** I know they were on the committee. Their views were not reported to you, as far as I know, and they ought to have been part of the mix so that you politically, in that context, could make your judgments as to the proper approach to this issue.

They were very strong in their condemnation of this report. I think it would have been the duty of the district health council to inform you of these disagreements that exist. I think it's their duty to inform you. I understand you weren't informed. I understand you didn't ask them their views on these matters, they didn't give them to you, and maybe there's a problem of communication. It's quite possible. But if there is, the two of you, government and the district health councils, had better fix that problem you may have. If the communication isn't working very well, that's a serious problem. You've got to fix that.

They should be communicating to you on a regular basis and you should be communicating to them on a regular basis, I say to you in all good faith. I'm also arguing that if you haven't reviewed the arguments made by Dr Reisman, and also by the chief executive, Garry Cardiff, you should. You should also review the report I made mention of earlier on, the 1997 report. I suspect some of you may not have done that—the one by Richard Hamilton.

What I want to know is, what happened between 1997 and now, that we have arrived at different conclusions? Is five years what it takes to arrive at a different conclusion? I don't know. What does it take? What happened in the space of five years, where you have a report that says intensive care and post-operative pediatric cardiac surgery facilities in Toronto, London and Ottawa were excellent. That's what they reported five years ago. Does that mean that from 1997 to the present they're no longer excellent services, that there's been a deterioration of those services? Is that so? If it is, what happened? I don't know. Do you know? If you do, let me in on it.

1710

All three centres were important to area teaching programs, especially in critical care. They noted, "The known benefits of accessibility for patients and families." There was no indication of costs being higher at any of the hospitals. Is that so? If it isn't, what happened from 1997 to now? Is it an issue of costs? They say it wasn't in 1997. If it isn't now—is that the issue?

*Interjection.*

**Mr Marchese:** The minister from Lanark-Carleton says no. So I'm ruling that out, as you nod your head one way or the other.

There was a "strong consensus to keep the programs where they were"—a strong consensus. It doesn't say there was a serious disagreement between the people reviewing this. It says there was "strong consensus"—not even "consensus"; qualified by "strong," meaning there's a great deal of agreement by the people reviewing it to keep the programs where they were. What happened? Is that the case or not? Has that changed? I don't know. Did

it, member from Lanark-Carleton? You're not nodding your head one way or the other, so I don't know.

What is the consideration? "Three independent individuals reviewed the conclusions and supported them"—three independent individuals. What happened with those reports and those views? Is it possible, in the space of five years, that those three independent individuals who reviewed the conclusions and said, "We agree with you"—did something happen to their expertise? Was their expertise not so expert or was there something else? Was there politics in that report? Were the individuals who were chosen politically motivated? I don't think so. They were your appointments, so obviously not.

But I'm saying to you, Minister of Health and member from Lanark-Carleton, help me. Help those who are here to listen to this debate and to the Ontarians and to your constituencies, and yours, John.

What is it that has changed? Unless you help those of us who are somehow not in the know about what transpired, it's difficult for us to help you. The way I'm trying to help you is by saying you've got to talk to the communities more than to us. You should be spending a little time in your communities.

Have meetings. I in fact would call meetings rather than wait to be called to a meeting to be held accountable for these issues. I say to you, you call the meetings. Bring the Minister of Health, ask him to present his ideas and have a discussion, possibly a debate. See what you get out of that. I suspect that you'll get more assistance, even though you'll be criticized, from them than you might from Dr Keon.

I'm not quite sure that Dr Keon is going to go into these communities and say, "Look, I need your help. I want to find a social solution to this problem." I don't think he's going to do that. I think his approach will be a clinical one, once again, and that will be a disaster for you. Dr Keon isn't likely to have meetings with your communities.

So I argue with you, Minister of Health, and the member from Nepean as well: have meetings far and wide so that you can be properly informed. And, being informed, hopefully you'll make the right decision. If you don't do that, you're in political trouble and you know it. You know you're in political trouble, and it's because of this that you have appointed Dr Keon. You hope, by appointing Dr Keon, that somehow you will subdue the enemy, have the enemy perhaps squashed a little bit, have them disappear. But I've got to tell you, people don't go away. So while you think you've bought two weeks of time with Dr Keon, you bought very little by way of a solution. You bought nothing, because he's not going to solve the social problems of which I speak.

The only solution I can see is, sit down with the communities, find an appropriate bridge, an interim step, before people might say, "OK, we buy the evidence. We will submit to the risks of travelling 350 kilometres or miles or more. We'll submit to that risk because the evidence is clear that Toronto is where you're going to get

the best care. We submit to that and we submit to those risks involved in the distance.”

They might say that in the end. I don't know. I still don't think they will, because at the end of the day what will dominate people's concerns is to make sure the service is close to home. Even if it's concluded that the level of expertise may not be the same as in Toronto, even if that is so, people will still want the service in their community.

If that's so, Minister of Health, we dare you to dare them with your clinical conclusions and tell them, “Sorry, the evidence is this. I'm trying to help you. Too bad, so sad. Beat me up in the next election.” You could do that. You may be doing that. I don't know. I don't recommend it as a strategy, because I think as a political strategy it's not very smart; it would be a bit dumb, foolhardy at least.

**Hon Mr Clement:** The day I take your political advice is the day—

**Mr Marchese:** The day you take my—I know we don't have a lot of members in this place, so you may not want to take my advice, but I offer it to you in all good faith.

**Hon Mr Sterling:** I consider this one of the more serious debates that I've ever participated in in this place, because I believe it's about saving children's lives. That is why we have acted and acted fairly swiftly and, notwithstanding our inability to portray all of the facts as have been presented to us to the community, I believe it is absolutely essential that we act with some speed and haste with regard to implementing this report, because if the reports and the evidence which have been presented to me and the other Ottawa members are true, then we will save three or four babies from eastern Ontario each year.

The problem is that, in terms of interpreting the data which we have received from pediatricians from across this province who were involved in this, there are always arguments over statistics and data. Quite frankly, my hope is that these pediatricians, the report of the coroner in London and the commission in Winnipeg are all wrong. I hope Dr Keon finds that there's not any more of a risk to our children in eastern Ontario in keeping the cardiac surgery unit at CHEO than in transferring that to Toronto, because this is a lose-lose-lose political issue for me and the other Ottawa members of our caucus. We understand that. We can't explain that. We cannot explain this to the community. It's very, very difficult to read this technical advice and literature and come to a conclusion, but that's what we have been told. We have been told that, notwithstanding the very excellent care that CHEO has provided in the past, when you have a larger unit with three children's cardiac surgeons in Toronto, you can save three or four more lives, comparing apples to apples. Now, Mr Baird and Mr Guzzo and I met with Dr Reisman, Garry Cardiff and Bernie Ashe, the chair of CHEO, and they dispute some of these statistics. That's why I'm glad that Dr Keon is going over

these, because he has much more skill than I or my colleagues in terms of dealing with this.

**1720**

But there are some facts that Mr Clement has put forward that are important. Already now there are 25 cases coming to Toronto from eastern Ontario to deal with the most difficult cardiac surgery problems for our children. So the CHEO is not providing a full range of service in this area. Shortly we're only going to have one cardiac surgeon for children at CHEO. We have three here in Toronto. We have none in London. These particular specialists are very rare indeed, and part of the problem is because the number of operations are decreasing. These people are probably going to become even more scarce as we go on. What will our ability be at CHEO to attract another cardiac surgeon when in fact the numbers of cases are probably going to continue to fall because of improved medicine, not because of anything else, because prenatal care is better, because the surgery is better? It's a success story that unfortunately is lowering the need for this health care service into the future. I'm absolutely thrilled that's happening because our children are less sick.

I said before that I couldn't be happier if in fact Dr Keon finds some way of saying or finding that by leaving this particular service in the city of Ottawa, that will in some way improve the care of the kids. Our one aim, our only aim in all of this is to save kids' lives in eastern Ontario. If that cannot be achieved by doing this, you will see John Baird, Gary Guzzo, Brian Coburn and me stop this in its tracks. We will stop it in its tracks, but it has to be someone who is skilled who decides who is telling the truth with regard to these statistics.

All I want is the best possible care for my grandchildren and the grandchildren of other people who live in Ottawa. I believe that Mr Clement has acted with honour, with integrity and has done exactly the right thing. I think he would have been negligent had he not made this decision on behalf of the children of eastern Ontario. I just want to thank him for sticking by his guns and appointing Dr Keon.

I don't believe that playing this as an emotional political issue is the right thing to do. As Mr Clement read out in the article of the particular nurse who spoke this morning, if Mr McGuinty, were he ever the Premier, would not make this decision, then he should never become the Premier of this province.

**Mr John Gerretsen (Kingston and the Islands):** For goodness' sake.

**Hon Mr Sterling:** Well, that's the truth.

**The Acting Speaker:** Order.

**Mr Steve Peters (Elgin-Middlesex-London):** This is an issue that's of extreme importance to all citizens of Ontario. You've got two communities right now who are extremely concerned about what's happening, but I think we need to look at the broader picture because this is going to have an impact on children's services across this province. I think it's imperative that Dr Keon go and visit these centres. He needs to talk to people because, when



you get notes like this from doctors who say, "I do not wish my name to be used as it is clear there are significant ramifications for those physicians who have already voiced opposition to the hospital cuts," it is imperative that Dr Keon talk to everybody in these hospitals.

We hear a lot about facts and figures, but these very reports that they cite from, you need to continue on and read from these reports because the reports conclude that "transfer from another acute care hospital was a statistically significant independent risk factor for mortality." Transfer of patients from southwestern Ontario or the Ottawa area to Toronto is exactly the solution proposed by this government, and that's wrong.

We need to look at how closely linked cardiology is to other pediatric specialized services. The loss of cardiac surgery in the London area has already had a domino effect on other pediatric specialties. We are losing specialists. As my leader, Dalton McGuinty, pointed out, it's like a house of cards. We're losing specialists, and the blame has to fall on the government.

We have to look at the base that these hospitals serve. The Children's Hospital of Western Ontario serves in excess of two million people. These citizens deserve and should have full access to all tertiary services.

I think the other thing we need to look at that hasn't been looked at in these reports is the medical residency programs that exist. These programs depend on multifaceted pediatric services at teaching hospitals such as Children's Hospital of Western Ontario.

Another factor that hasn't been taken into account by this government is a fact that we already know. It's recognized that Toronto has already experienced a shortage of medical staff: doctors, nurses, anaesthetists and intensivists. We know too that Sick Kids is already trying to cherry-pick. We've seen the memos circulated around Children's Hospital of Western Ontario, trying to cherry-pick nurses out of that hospital. It's irresponsible of Sick Kids' Hospital to be doing that. What you're going to do is place a further burden, though, on the already under-resourced manpower at Sick Kids' Hospital.

I think the other aspect of it is that we hear a lot of talk about the facts and the figures and the clinical outcomes, but you're dealing with people here. It is an emotional issue. There's no doubt about it. It is an emotional issue because this is affecting people's lives. We need to take into account—the minister is not clear. When I listened to him at the scrums after this announcement was made, the minister wasn't clear that we were going to see new financial programs put in place like the northern health travel grant. He says we're going to deal with the existing programs we have in place.

So you need to consider the financial and emotional strains of the families and the individual patients who are going to have to travel to Toronto for their children with special needs. With services moved farther away, these families are going to incur extra costs for expensive accommodation, limited access to places like Ronald McDonald House, food, gas and parking. All these are

additional expenses that families who, because of their situation, will be one-income families, and must continue to make mortgage and rent payments, care for other children and pay long-distance phone bills. Most of all, I don't think this government recognizes that young lives are going to be put at risk because of the centralization of services.

I just want to close with these comments. This was a report that was done in London. I was pleased that the health services 1997 report was referred to, because that report has been buried—another pediatrics review buried. I want to close with these comments: "Pediatric cardiac surgery needs serious consideration. Should it no longer be carried out" at Children's Hospital of Western Ontario, "there is a real risk that pediatric critical care capacity and expertise would markedly decrease. Fellows would be difficult to recruit and there is a major risk that a number of pediatric intensivists would leave, both for reasons of professional opportunities and finances." This report was done in 2001 as a review of the city of London's pediatrics program.

Not all the experts have been listened to. This is an issue that doesn't just affect CHEO or the Children's Hospital of Western Ontario; this affects the province. I ask the government to do the right thing, for those London members to speak up and stand up for their parents, but most importantly, to stand up for the kids of Ontario.

**Hon John R. Baird (Associate Minister of Franco-phone Affairs):** My constituents in Nepean-Carleton care passionately about this issue, as I do. CHEO is an important institution in our community. It's one that is valued and respected. People fought for many years in the 1960s and 1970s to have this place built.

I'm probably different from many members in this House, and probably every member in any House in Canada, in that I was actually a patient at CHEO. The combination of my age and the fact that CHEO was constructed in 1974 would probably make me rather unique in that. So I've seen first-hand the type of care that's offered there.

I've taken time with my colleagues to sit down and talk to the president, to the chair of the board and the head of pediatrics at the hospital. I've taken time to review the report of the expert panel. I've looked at what's going on in other parts of the country. I've looked at the coroner's report from London. I've looked at Justice Sinclair's work in Winnipeg and Manitoba. I've looked at the international trend that's going on in this area, and it all seems to point in one particular direction.

1730

I don't pretend or suggest for a single moment, nor should anyone in this House suggest that they're an expert in pediatric cardiology or pediatric cardiovascular surgery; I'm not. We take the reports of the experts.

To the minister's credit, when the members for Lanark-Carleton, Ottawa-West Nepean, Ottawa-Orléans and I suggested we wanted a second opinion, he immediately accepted that request and appointed someone of unquestioned character from the Ottawa area—someone

whom the leader of the opposition said he can trust, whom New Democrats in Ottawa—including Alex Munter, whom I saw quoted in the paper saying he could trust, whom those in the government can trust—to look at all the facts in this issue and render a decision, one which I think all of us are prepared to accept.

We're faced with a choice. This is obviously not a popular public decision. I've received literally hundreds of calls, letters and faxes from my constituents. I've asked those I've talked to, "Have you looked at the situation in London? Have you read the report? Have you seen what they've done in western Canada? Have you looked at what Justice Sinclair has done?" The answer is, "No, no." That's why we're elected: to be able to look at these issues. That's why I'm pleased we're going to get a respected international expert and member of the Order of Canada, who founded the Ottawa Heart Institute, to look at this.

I was impressed when I read an article in the *Ottawa Sun* this morning by Yvonne Craig, who wrote a guest column. She writes, "I am a nurse. I am also a mother of two surviving triplets. I have the utmost respect for the staff at CHEO and my children have certainly benefited from the excellent care provided there."

She talks about this decision: "This decision is not the result of a politician trying to trim a budget. As I understand it, a panel of the leading pediatricians in the province recommended the closure.... Experts agree that to keep sharp and on top of your skills a unit like this one must do" at least "200 cases a year.... Most of these procedures are scheduled in advance and done on (relatively) stable patients. Very few are emergency cases.... Of the 100 surgeries done at CHEO last year, only 46 were" children from Ottawa. "The Atlantic provinces transport all their cases to ... Halifax. Out west all cases in BC, Alberta, Saskatchewan and Manitoba are transported to Edmonton."

This registered nurse, whose children have had care at the children's hospital, said, "Opposition politicians have been quick to jump on the bandwagon and blast the current PC government over this issue. In my opinion this is a shameful ploy to garner votes over a highly charged emotional issue. They are quick to portray themselves as saviours of sick children, when in fact if they were in power they would be doing exactly what Mr Eves and Mr Clement have done—following through on the recommendations of a panel of experts."

We should do one single thing in making this decision: do the right thing for children and be able to look every family in the eye and say, "Under this model, your child will have the very best outcome, will survive and get the very best care we can provide in this country."

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** CHEO is an important institution for eastern Ontario communities. Closing the pediatric cardiac surgery clinic is unacceptable.

I was listening to both ministers on the other side, the Minister of Transportation and the Minister of Health. They referred to a statistic that came out of the report.

But when the hospital restructuring commission came out with the report in 1996, the report was not accurate. There was false reporting in it. They said at the time that the people of the county of Russell were using the hospital in Cornwall, which was completely false. It never happened. They said only 18% of the population in the area were francophones. In my own riding, which is part of Ottawa, over 60% of the population are francophones. So this is why we are asking Dr Keon to review the report, but we have to go a lot further.

How did I find that out about the Montfort issue? It's because I put a committee together that was fully aware of what was going on at the Montfort Hospital. We Franco-Ontarians fought for years to get French services at the CHEO. Finally, we got some. The services have improved a lot.

This is why we're getting people from up north coming down to CHEO; because this is the only place that they could get the French services. When they come from Sudbury, Timmins, Hearst and Kapuskasing, this is why they are moving them to CHEO. They come from western Quebec also. They say they're not part of the province, but if Manitoba was next to Toronto, would we say to Manitoba, "No, you cannot come to Toronto because you're not from the same province"?

They're also saying that we could transfer them by helicopter. Were you aware that between the months of May and September we cannot have any parents accompanying their kids in the ambulance while they are moved to Toronto? The pediatricians told me it is impossible to have the parents accompany the kids. So it would mean that if they come from my area they would have to travel 600 or 700 kilometres to come down to Toronto for an emergency operation. Can you imagine the stress on those people? Just to show you, the government is not thinking of the people in the rural areas. They want to centralize everything in Toronto. I have nothing against Toronto, but please look at both ends of the province, at the four corners.

**Mr Patten:** I'm very pleased to participate in this debate, which is a very important one. I speak today as an MPP, and I speak as a resident of the Ottawa-Carleton region and eastern Ontario. Also, as a former staff person, as president of the foundation at CHEO, I have some kind of a feeling for what kinds of things happen in that particular hospital, and it's top drawer.

Now, over the last couple of weeks we've had over 100,000—we will have over 100,000, probably by today or tomorrow, names on petitions from people throughout the region. The people of eastern Ontario are saying to this government they want cardiac surgery for their children to remain close to home in the Ottawa area, at CHEO.

I want to acknowledge that the appointment of Dr Wilbert Keon is an important one. I hope he looks at all the facts, and I believe he will look at more than just what the report talked about, which was very clinical, very technical and just looked at a medical procedure



rather than all the risk factors that surround the transportation of children and the risks that may have.

We know the committee comprised pediatricians and hospital executives. But as Dr Reisman, a member of that committee and pediatric chief at CHEO said, and I quote him, "None of the members of this committee, including myself, had cardiac surgery experience. There were no cardiac surgeons on the committee." He says this decision would have put children at risk. I would add that there wasn't even a cardiologist on the committee.

So let me put this in context. If you wanted, for example, to do a review of the role of history in a curriculum, and you said, "Well, we'll bring together a whole group of teachers," and then afterwards you found out there wasn't one historian who was a part of that particular review team, that would be synonymous with what happened. You've got a bunch of pediatricians, very good people, mainly of course from around the GTA, two from eastern Ontario, and they're making comments and judgments without having the people who are the most knowledgeable about the very important risks that are there.

Dr John Smythe, who is a cardiologist in Kingston, who has practised both at the Children's Hospital of Eastern Ontario and also at Sick Children's, said that the decision to close CHEO's heart surgery would overload the Sick Kids pediatric care system, possibly putting children at risk. Remember, that's also what Dr Reisman said. Dr Smythe also said, "If we end up with one centre, in Toronto, it's vulnerable to nursing shortages. And any centre can be shut down because of an outbreak of infection. That means kids will have nowhere else to go in the province," placing all your eggs in one basket in one centre.

We need to understand of course the implications of closing this particular surgical unit at CHEO and the domino effect. We need to understand that we would not just be removing cardiac surgery but the complete pediatric cardiology program throughout—everywhere outside of Toronto will be affected because of this decision that will affect the London children's hospital and the hospital of eastern Ontario.

Let's look at transportation very briefly. For the parents in Ottawa, you're asking them to drive five hours to get care for their child. You're asking parents and sick children from Cornwall to drive an extra 300 kilometres. You're asking parents from Renfrew to drive an extra 400 kilometres. You're asking parents from Deep River to drive an extra 500 kilometres. Where did you get your research? Your research related to this travel business was from California. Last time I heard, southern California does not have rainy weather or winter weather or ice storms like we do. The kind of distance they were talking about was 52 miles—a vastly different context for the research emphasis that's there.

1740

Now, the minister gave some statistics before and he said he got them from CHEO. We just phoned CHEO and I asked to confirm the figures that I said. Here's what

the stats are. We'd like to see the stats that the other hospital would be prepared to give too because we haven't seen them. In the year 2000 there were 130 procedures, 19 cases from out of province; in the year 2001, 145 procedures—not 121—and approximately 25 cases from out of province. If the minister wants the correct statistics, hopefully he can go back and he can get them. Some of the data he's dealing with are not correct and that's why we get so upset. Hopefully Dr Keon will have an opportunity to review those kinds of things.

The issue of isolating volumes, looking at volumes only: there are cardiologists, independent scholars, one from Cambridge—because of the interests of time I haven't got his name; I may have it here—who identified that you cannot look at volumes alone. You have to look at the experience of the surgeon. You have to look at the backup services. You have to look at the training of your nurses. You have to look at your anaesthesia. You have to look at your technicians and how highly trained they are and what kind of experience they have.

From everything that I've read, CHEO's outcomes are comparable with Sick Kids, all right? We hear otherwise, and the implication of course that makes people upset and angry is that CHEO's program isn't as good as Sick Kids'. It is true that we send some children to Toronto for certain procedures. When you have the time to plan, when you have the time to organize something over a three-month period etc, that goes on. That goes on in many areas. It goes on to CHEO from many parts of eastern Ontario. It goes on from Quebec, goes on even from Newfoundland. The point is that if you weaken the program so much—the capacity of that particular hospital to be able to do the emergency surgery—they will have lost that capacity. That's why everyone is saying that if you hurt this program like that, you'll have no surgeons.

I spoke to the surgeons. I saw one surgeon leave—he was on his way to Britain—saying, "I've been offered another job, because obviously the government wants to do away with this program." He's gone, all right? So already you see the weakening of that. If you lose that capacity you lose other capacities in other areas of surgery for the hospital because it has a ripple effect in that hospital and other parts of Ontario.

I'm running out of time but I do want to point out, as the member for Trinity-Spadina had pointed out, that in 1979 Dr Hamilton chaired a particular task force and his question was, "What happened between then and now?" The conclusion of that task force was to keep these units, London and CHEO, together and, if you have to, spread around and redistribute some of the numbers, because obviously the waiting list is higher at Sick Kids than it is at CHEO. Spread that around. That was the mandate, that was the recommendation to the ministry. Why did the ministry never respond to that? I ask you that. You want to talk about politics? Believe me, there's politics in the health care system, that's for darn sure.

Finally, CHEO has always accepted the idea of putting together a network. A network means sharing. A network means best practices and complementing things. Why is

it that families have to travel to Toronto? Why can't surgeons go to other places to do some of the particular surgery? Some of these questions will be dealt with by Dr Keon, I hope, and we'll look forward with great interest to his particular report.

I'll now pass this over to my friend from Lanark.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm delighted to have an opportunity to stand in my place today and support the motion tabled by my leader and colleague, Dalton McGuinty, the member for Ottawa South. Like Dalton McGuinty, Mr Patten, Madame Boyer and Jean-Marc Lalonde, I was at CHEO on Saturday morning with thousands of people, many of them from the upper Ottawa Valley, who are very, very concerned by the government's announcement to close down the children's cardiac surgery unit at the Children's Hospital of Eastern Ontario.

Just a short while ago, I heard the member for Nepean talking about some article that appeared, I think, in the Ottawa Citizen today. I would ask members to read the "Facts and Arguments" piece in the Globe and Mail today on page A20 by the distinguished Canadian journalist Paul Adams, who is writing from the Middle East. He tells the story about the experience he and his wife had with their son, Alexandre, who would have died, according to this, had they not been so quickly able to access the first-rate facilities at CHEO.

I want to say, as the member from the upper Ottawa Valley, I represent people in places like Stonecliffe, Killaloe, Calabogie and Westmeath as well as the big towns of Petawawa and Renfrew and the city of Pembroke. These parents, parents like Katherine Mullen-Hammond and grandparents like Frances Smith, have been saying to me in the last few days, "Are they out of their minds, these people at the Ministry of Health? Don't they understand that we as parents and grandparents and guardians of very, very vulnerable young children have not got the time or the resources to get ourselves and our very fragile young people the five and six hours from a place like Stonecliffe or Petawawa, often through winter weather without public transit, across the hills of eastern Ontario to Sick Kids in Toronto?" It's not just the surgery at CHEO, but it's all of the support services.

Katherine Mullen-Hammond and her husband, Mike, were telling me about what they have experienced with a very, very fragile youngster. It wasn't just the surgery; it was all of the surround services that they depend on and depended on on a weekly basis. It is beyond their comprehension that anybody at the Ministry of Health could imagine that people from the upper Ottawa Valley with very, very fragile youngsters are going to be able to manage to get the children and themselves to Toronto.

Somebody mentioned earlier, and the point has to be reinforced, that it was 14 or 15 years ago that the Peterson government was told, "You'd better develop a second and a third site," because the Sick Kids facility by the mid-1980s was simply not able to manage the waiting list for children's cardiac surgery and there were real risk

issues arising at the time that the then provincial government felt it had to respond to.

I have in my hand a letter from the council in the town of Renfrew, one of many expressions I've had from municipal governments. Let me just read from part of Mayor Sandy Heins's letter dated May 30.

"At the regular meeting of Renfrew town council held May 27, 2002, council expressed great concern about the proposed move of the cardiac surgery unit" from CHEO basically to Sick Kids. They go on, "On behalf of the" Renfrew town "council and citizens of the town of Renfrew, I," the mayor, "urge you," Minister of Health and Premier Eves, "to reconsider this proposal and keep the cardiac surgery unit ... open" and available at the Children's Hospital of Eastern Ontario.

I just have to say to my colleagues on both sides of the aisle, as I have said on previous occasions, I have been around for several years in government, in opposition, I've been through the wars on a number of these issues, but I can say quite honestly that I can't remember a time when so many people have come up to me as their local member and said, "Please help us keep the CHEO children's cardiac surgery unit open and available. We simply cannot conceive that it makes any sense for the patients, their parents and the support groups from our part of eastern Ontario to close the unit in Ottawa and imagine that it can all be done safely and efficiently 400 or 500 kilometres away in Toronto." I think this Legislature should listen to those parental pleas and support Mr McGuinty's motion.

**The Acting Speaker:** The time for debate has expired.

Mr McGuinty has moved that the Legislative Assembly of Ontario offer its unequivocal support to the people in Ottawa and London in their efforts to convince the Eves government to reconsider its decision to remove life-saving children's heart surgery programs from their communities.

Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1750 to 1800.*

**The Acting Speaker:** Mr McGuinty has moved opposition day number 3. All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Curling, Alvin	Parsons, Ernie
Bartolucci, Rick	Di Cocco, Caroline	Patten, Richard
Bountrogianni, Marie	Dombrowsky, Leona	Peters, Steve
Boyer, Claudette	Duncan, Dwight	Phillips, Gerry
Bryant, Michael	Gerretsen, John	Pupatello, Sandra
Caplan, David	Gravelle, Michael	Ramsay, David
Christopherson, David	Hoy, Pat	Ruprecht, Tony
Cleary, John C.	Lalonde, Jean-Marc	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Conway, Sean G.	McGuinty, Dalton	
Crozier, Bruce	McLeod, Lyn	



**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Hardeman, Ernie

Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan

Witmer, Elizabeth  
Wood, Bob  
Young, David

# Nays

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Eves, Ernie

Hastings, John  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McDonald, Al  
Miller, Norm

O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 31; the nays are 53.

**The Acting Speaker:** I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*

# CONTENTS

Tuesday 4 June 2002

<b>MEMBERS' STATEMENTS</b>	
<b>Education funding</b>	
Mr Agostino .....	601
<b>Education programs</b>	
Mr Marchese .....	601
<b>Noel Catney</b>	
Mr Spina.....	601
<b>Injured Workers' Resource Centre</b>	
Mr Gravelle .....	602
<b>Tourism in Northumberland county</b>	
Mr Galt.....	602
<b>Senior citizens</b>	
Mr Sergio .....	602
<b>Stratford Festival</b>	
Mr Johnson.....	603
<b>Telethon</b>	
Mr Patten.....	603
<b>Bill Wilkins</b>	
Mr Tascona .....	603

<b>REPORTS BY COMMITTEES</b>	
<b>Standing committee on general government</b>	
Mr Gilchrist.....	604
Report adopted .....	604

<b>FIRST READINGS</b>	
<b>Hydro One Inc. Directors and Officers</b>	
Act, 2002, Bill 80, <i>Mr Stockwell</i>	
Agreed to .....	604
Mr Stockwell.....	604
<b>Clean Up Hydro One Act, 2002,</b>	
Bill 82, <i>Mr Hampton</i>	
Agreed to .....	605
Mr Hampton.....	605

<b>ORAL QUESTIONS</b>	
<b>Public sector compensation</b>	
Mr McGuinty .....	612, 613, 619
Mr Eves .....	612, 613
Mr Stockwell.....	619
<b>Hydro One</b>	
Mr Hampton.....	614, 615
Mr Eves .....	614, 615, 616
Mr Stockwell.....	615
Mr Bryant.....	615
Mr Conway .....	616
<b>Environmental testing</b>	
Mr O'Toole .....	616
Mr Stockwell.....	616

<b>Nutrient management</b>	
Mr Johnson .....	617
Mrs Johns.....	617
<b>Health services</b>	
Ms Martel .....	617
Mr Clement.....	617, 618
Mrs Pupatello.....	618
<b>Youth crime</b>	
Mr Gill .....	618
Mr Young .....	619
<b>Provincial parks</b>	
Mr Miller .....	620
Mr Ouellette.....	620
<b>Affordable housing</b>	
Mr Prue .....	620
Mr Hodgson.....	620

<b>PETITIONS</b>	
<b>Hydro One</b>	
Mr Cleary.....	621
Mr Caplan.....	622
<b>Children's health services</b>	
Mr Conway .....	621
<b>Post-secondary education funding</b>	
Mr Bartolucci.....	621

<b>OPPOSITION DAY</b>	
<b>Children's health services,</b>	
opposition day number 3,	
<i>Mr McGuinty</i>	
Mr McGuinty .....	622
Mr Clement.....	624
Mr Cleary.....	627
Mr Marchese.....	627
Mr Sterling.....	632
Mr Peters .....	632
Mr Baird .....	633
Mr Lalonde .....	634
Mr Patten .....	634
Mr Conway .....	636
Negatived.....	637

<b>OTHER BUSINESS</b>	
<b>Terry Ryan and Steve McAteer</b>	
Mr Runciman.....	605
Mr Levac .....	606
Mr Kormos .....	607
<b>Consideration of Bill 58</b>	
Mr Kormos .....	608
Mr Stockwell .....	611
The Speaker .....	612
<b>Visitors</b>	
Mr Spina .....	612

# TABLE DES MATIÈRES

Mardi 4 juin 2002

<b>PREMIÈRE LECTURE</b>	
<b>Loi de 2002 sur les administrateurs et les dirigeants de Hydro One Inc., projet de loi 80, <i>M. Stockwell</i></b>	
Adoptée .....	604
<b>Loi de 2002 sur l'assainissement des finances de Hydro One, projet de loi 82, <i>M. Hampton</i></b>	
Adoptée .....	605



CASIN  
X  
-1023



No. 14B

N° 14B

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

Third Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Tuesday 4 June 2002**

**Mardi 4 juin 2002**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.





# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 June 2002

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 juin 2002

*The House met at 1845.*

## SPEAKER'S RULING

### **The Acting Speaker (Mr Michael A. Brown):**

Earlier today, the member for Niagara Centre, Mr Kormos, rose on a point of order respecting the orderliness of Bill 58, An Act to amend certain statutes in relation to the energy sector. His submissions on this point refer to the sub judice rule making reference to a current notice of appeal before the courts respecting Hydro One. He also argued that the bill could be ruled out of order due to its omnibus nature. The government House leader, Mr Stockwell, also made a submission on these points. Let me start with that which was put last, namely the omnibus argument.

As members will know, omnibus bills have been subject to procedural scrutiny in many parliamentary jurisdictions, as governments have increasingly used them as vehicles for submitting related proposals for the consideration of the House. However, to date, I know of no Speaker in any jurisdiction who has on his own or her own initiative ruled a bill out of order because of its omnibus nature. While it is possible to envision a circumstance where a Speaker might find no alternative but to break with that practice, it is my opinion that this would only occur if that Speaker were faced with a piece of legislation that has gone beyond what has to date been procedurally acceptable.

Given the previous examples of omnibus bills considered by this House and the fact that upon careful consideration of the bill I cannot find that its parts are so disparate as to have no tangible connection, I find I am unable to rule Bill 58 out of order on the basis of its omnibus nature.

The member for Niagara Centre also made submissions respecting the applicability of standing order 23(g), the assembly sub judice rule. The member for Niagara Centre noted that a 1966 ruling by a former Speaker of this House indicated that the sub judice rule can apply to civil proceedings. The government House leader stated otherwise.

Let me clarify that point. Sub judice, according to Beauchesne, has been applied consistently in criminal cases, but there is no settled practice in relation to civil cases. This does not mean it can never be applied in a civil case, but Beauchesne goes on to say that the House would never allow "the sub judice convention to stand in

the way of its consideration of a matter vital to the public interest or to the effective operation of the House."

On the point of the applicability of the rule to a bill, let me refer to the following ruling of Speaker Hipel, which can be found on page 22 of our Journals for January 29, 1937:

"Instances of the passing of bills affecting particular actions or other proceedings before the courts are not uncommon in the history of this Legislature....

"In my opinion, it is clear that ... Erskine May ... goes no further than to state that during the course of a debate, members should not refer to matters awaiting the adjudication of a court of law, such matters being sub judice. It is not intended to interfere with the right of legislative bodies to alter existing laws, even though such alteration may affect a matter before the courts.

"I hold that it would be a stultification of the powers of this assembly to rule that an act may not be introduced to remedy a condition in an act and to make clear the will of the assembly even though the act to be remedied is under consideration by a court of law.

"Accordingly, it is my ruling that an act may be introduced and considered by the assembly, notwithstanding that such act may interfere with actions pending before the courts."

Let me add that since our sub judice rule was created in 1970 and then amended to its current form in 1978, its invocation has become infrequent. I appreciate the member for Niagara Centre may find this situation unfortunate, but he and other members should remember that the less frequently the rule is invoked, the greater the vindication of the single most important parliamentary privilege members of this House enjoy, namely the right to free speech.

I find that Bill 58 is in order. In closing, I thank the member for Niagara Centre for his thoughtful submissions.

## ORDERS OF THE DAY

### RELIABLE ENERGY AND CONSUMER PROTECTION ACT, 2002

### LOI DE 2002 SUR LA FIABILITÉ DE L'ÉNERGIE ET LA PROTECTION DES CONSOMMATEURS

Mr Stockwell moved second reading of the following bill:

Bill 58, An act to amend certain statutes in relation to the energy sector / *Projet de loi 58, Loi modifiant certaines lois en ce qui concerne le secteur de l'énergie.*

**Hon Chris Stockwell (Minister of Environment and Energy, Government House Leader):** First, may I say that was an excellent ruling, not just—

**The Acting Speaker (Mr Michael A. Brown):** Order.

1850

**Hon Mr Stockwell:** I'm sorry, I didn't move the actual name of the bill. I apologize. I was so excited to give you such a commentary.

I move second reading of Bill 58, An act to amend certain statutes in relation to the energy sector.

**The Acting Speaker:** Mr Stockwell has moved Bill 58.

**Hon Mr Stockwell:** I just want to comment on the ruling. It was an excellent ruling, not just for the fact that it bore out the position that we took, but, holy smokes, Speaker Hipel, 1937. You had to break out the dust-covered one to get that one, I can imagine. And "stultification"; that's a new one. I've got to put that word in my thesaurus. I'm sure if before today someone had accused someone of stultifying something, it would have been ruled out of order by previous Speakers.

Mr Speaker, I want to tip my hat to you and the clerks for obviously doing some good work in a very short period of time, considering the point of order was brought up only a few short hours ago.

Today we are starting off debate on Bill 58. It's an act that allows the government to dispose of its assets as it sees fit. It also goes about trying to protect consumer interests with respect to electricity salesmen, trying to strengthen the position of the Ontario Energy Board and the IMO as well, and so on and so forth.

Let me start out by saying Justice Gans ruled that this particular approach taken by the government on the IPO with respect to Hydro One was not acceptable; against the law, I guess. I want to go on the record as saying I find it rather curious that a justice, a judge, in this province could come to the conclusion that he came to.

Why do I find it curious? I believe in certain inherent rights, as a Canadian and as an Ontarian. I suppose the inherent right that I believe in that's probably one of the top 10 is that if you have property, you own something, you have the right to sell it.

What Justice Gans ruled basically was exactly the opposite to that. He suggested that unless you pass legislation directly saying that you are going to sell something that you own, you can't in fact sell it, which brings us to the question of why we're appealing the decision. This has always caused me some concern, when the opposition stands up and asks, "Why are you appealing Justice Gans's decision?" because I know them to be learned, intelligent—well, most of them to be learned, intelligent people. I know them to understand basic, fundamental rights and basic, fundamental beliefs that I think if they were in government they would accept.

I suppose, to kick it off, if you don't agree with our position with respect to the decision by Justice Gans, I can only then believe that you agree with Justice Gans. That causes me great concern, because how could a government, say, dispose of a road abutment, a simple road abutment? We all know about those. They are all in our ridings, you know, where they buy up parcels of land to expand roads. Sometimes they end up with road abutments, small parcels of land, sometimes highway-locked that only certain farmers or communities or parks can be used for. The government every day—and I know there are at least two across the floor who sat on the executive council, the good member for Pembroke and the member for Hamilton. You know as an executive council representative that you often sell property—road abutments, parcels of land—all the time you sell this property, at every cabinet meeting. According to Justice Gans, if you believe what his ruling said, you don't have the right to sell that; you can't dispose of that as a public asset, as the government who owns that in the name of the taxpayers.

If you allow Justice Gans's ruling to stand, any future government is going to be faced with the unbelievable predicament that every time they want to dispose of an asset they'll have to go and draft legislation and pass it through the House that would allow them to dispose of that asset, which is patently absurd. Talk about an omnibus bill. I'm afraid my friend Kormos would be doing backflips when that bill came in. When you try to dispose of public assets like road abutments, transferring deeds of ownership to municipalities—

**Mr Joseph Spina (Brampton Centre):** Lab testing for water.

**Hon Mr Stockwell:** Any of those things would have to be approved through the Legislature. So this is my concern with respect to Justice Gans. I don't think he really thought through this decision, and his decision was flawed—in fact, seriously flawed.

We as a government, then, have a decision to take. We have to decide whether to appeal this seriously flawed decision or we bring forward legislation to remedy that particular decision. The situation we're caught in is that we couldn't possibly bring forward legislation to remedy every possible instance of selling some government asset. It couldn't be drafted. The bill would be voluminous and probably out of order. Even as an ex-Speaker, I would probably say it's out of order because it would cover the gambit of every single operation that this government finds itself involved in. So we had to appeal the decision.

But in the meantime we want to make a decision on Hydro One. Whether we create a non-profit, an income trust, an IPO or a strategic sale, we were stopped from doing that by Justice Gans, who said, "Even though you own the asset, you can't actually dispose of the asset." So that's why we had to take the two-pronged approach.

The arguments put forward by the opposition saying, "You're appealing and you're also passing legislation"—let's be clear. We know this legislation will be appealed by our union friends, CUPE and others. Even if they lose



in Ontario—I think it's the Superior Court, or wherever in Ontario it's at—they'll appeal it to the Supreme Court of Canada. So we know we're into a two-year fight. That's why we need to draft legislation and bring it into this House in order to deal with the concerns we have with respect to Hydro.

Before I go through the purpose clauses of this bill, I think we should spend just a brief moment talking about the compensation of Hydro One executives. I want to say to you I was very, very, very disappointed with my friends opposite and their rather liberal—no pun completely intended—interpretation of the pay to the boss at the OPG. Let me explain to the watchers today that, as the CEO of OPG, Ron Osborne makes \$1.6 million. He has another component within his contract that is called a long-term bonus benefit. That particular amount of money is accrued over the years. That accrual amount came to \$587,000, spread out over three years. That amount is applied to his income of \$1.6 million, so he's paid about \$1.8 million. My friends opposite, Phillips and I think Conway, McGuinty and others, were arguing that somehow he was paid \$2.3 million. The lump sum payment is applied in one year but it's accrued over a three-year period. The income is derived over a three-year period on bonuses. That's how the money comes.

**1900**  
If you want to ask Mr Osborne, whom I released to the press today to respond to these questions, his response was clear. This bonus was generated over a three-year period. It was paid out in one year, there's no doubt about that, but the bonus accrued over three years. His position is, "Next year I will not get any bonus. I will get no money"—the long-term bonus; not the short-term but the long-term bonus that we are talking about. So his position is, "I will not get any money next year on the long-term bonus." That's right from the horse's mouth. He said that next year his income will fall back to the \$1.6 million.

**Mr David Christopherson (Hamilton West):** Starvation wages.

**Hon Mr Stockwell:** I say to my friend opposite, you had the maharishi running Hydro: Maurice Strong making a million dollars and buying rainforest land in Costa Rica and distribution companies in Chile. So I'm not really sure you should be commenting with respect to how much they're being paid.

It's also at the 50th percentile of the range of senior executives who run companies this large. To be fair, it's a private sector company. He competes. He sells Hydro.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** The documents are wrong then.

**Hon Mr Stockwell:** I don't know what you're reading, but if you send it over I'll be happy to explain it to you.

**The Acting Speaker:** Through the Speaker, please.

**Hon Mr Stockwell:** Through the Speaker, if you send it over I'll be happy to explain it to you. Obviously he doesn't want to send it over.

**Mr Conway:** I'll send it over.

**Hon Mr Stockwell:** Then let's get a page. If you can bring—thanks very much. He's going to send it over. I'll give it back to you. If he wants to quote numbers, I'll be—there you go. You see, every time you ask the Liberals to send something over, they don't want to send it over.

**Mr Conway:** Be careful.

**Hon Mr Stockwell:** No, I'm not. Send it over.

**Mr Conway:** Be careful.

**Hon Mr Stockwell:** Send it over.

**Mr Conway:** We've had to extract some things from you lately but I never thought we'd have to—

**Hon Mr Stockwell:** Send it over.

**The Acting Speaker:** We're not going to do this.

*Interjection.*

**The Acting Speaker:** Sounds like a duet to me. So the member from Renfrew will refrain from helping in the duet and we will go back to a solo. Minister.

**Hon Mr Stockwell:** I appreciate that. I've learned from the other side. They often make these allegations; when you ask them to pony up the facts they refuse to do so. If you notice a sense of frustration, yes, I am frustrated. I get comments on this side of the House where I ask them to send over the information and they refuse to send it over. Not long ago the member for Timiskaming was making an allegation that I compromised myself as Minister of the Environment with respect to an environmental hearing that hadn't even been filed yet. I asked him to send the information over. There was nothing to it. I asked the leader of the official opposition to send over the information today with respect to this allegation of \$2.3 million. He wouldn't do it. Then I ask the member for Renfrew today, who suggests he has information to suggest otherwise, to send it over and he won't do it. So you can understand the frustration.

I put Mr Osborne out to the media. I gave him the opportunity to speak to the media. He responded very clearly that his compensation was accrued over three years and his claim is that he will not get any long-term benefit payments till next year. So I can't understand why it is the opposition continues to suggest otherwise, unless they have information, which is coy, but they never seem to deliver the information up. They play this cat-and-mouse game, but when you ask for the information they never deliver.

That's what Mr Osborne said to the media today. I think it's very important that we note that, as you hear future comments from members opposite, particularly the Liberals, who are going to claim otherwise. They have not one shred of evidence to prove it. All I can tell you is what Mr Osborne said: he got paid no long-term bonus in 1999, no long-term bonus in 2000 and he got paid his long-term bonus in 2001. He has told me categorically there will be no long-term bonus in 2002. All I can tell you is that's the position he's given me and that's the position I'm reporting out. Anything else is manufactured in the minds of Liberal research.

**Mr Christopherson:** Are you going to take up a collection for him tonight?

**Hon Mr Stockwell:** No, but he still likes the furniture that MOE bought.

To move on to the key points about the bill, we were in a situation where we had to make a decision about bringing this bill forward. Let's be clear. During the tail end of 1984 to 1993, hydro rates under the Liberals and NDP went up 94%. I mean, understand that: 94%. With Peterson and Rae at the helm, rates went up 94%. What happened? Rates went up 94% but they didn't actually physically put them up 94% to the ratepayer; they simply ran up the debt. So you're caught in a situation by this company that has a \$38-billion deficit and \$17 billion in assets.

The argument across the floor is that this is a company that we bought and paid for. The reality is it's a company that we bought; we just forgot to pay for it. Therefore, we were left with a \$38-billion debt and a \$17-billion asset. The arguments again will be put, "Well, it's a well-run company." They want the status quo because there's a marginal profit, \$350 million in profit, year over year. In the last three years it has been about that.

The problem with these profit statements, the problem with the company, the problem through those 10 years from 1984 to 1994, is they didn't reinvest in the company. You're from Algoma-Manitoulin; I know you'll understand this, Mr Speaker. We haven't visited some of these lines that are supposed to be delivering power to people in 14 or 15 years. They haven't had any maintenance work. They haven't done any cutting along those lines, particularly in northern Ontario, so a lot of trees are growing over those lines, pulling those lines down, and I know the member in the chair will tell you that they're getting brownouts around parts of this province that are lasting two, three and four days. Why? Because they've got to get back in there because they haven't maintained those lines.

So we need to find ourselves, as a government and as an operator, probably in the neighbourhood of \$4 billion, \$5 billion, \$6 billion in the short term. We're \$38 billion in debt; we have \$17 billion of assets. There are not a lot of people out there who think that's a well-run operation and are going to encourage you to go out and acquire more debt.

We're in a situation where we have to bring some discipline to this company, some private sector, private market discipline, in order to make prudent decisions that will survive particular scrutiny and provide a safe hydroelectric delivery service. We're in a situation today where we said that the status quo won't do. We've said we need to regulate this company and have it report to the Ontario Energy Board.

Across the floor, many of the members bring out red herrings. One of the issues is California. You hear a lot about California. I know the leader of the third party rented a bus, put his picture on the side of it, a big face with a light bulb above it—I think that's to say he's got an idea, and it's one of the first times. Anyway, he's got a

light bulb above his head on the side of a bus and he travels around the province suggesting to people that California is exactly the way Ontario's going.

Let me explain California to the people out there and to both friends opposite. California was a situation where they had a Democratic governor. Democrats are a lot like Liberals and NDP: sometimes they're caught in between. This Democratic governor—his name was Gray Davis—decided he was going to privatize the energy sector in California. The difficulty with the Gray Davises of the world was, when he announced the privatization, he said that all distribution companies would have to peg the amount of money they sold power at to the consumer.

Distribution companies are the small companies. The city of Toronto has a distribution company; the city of Mississauga has; Hamilton has a distribution company; Sudbury has a distribution company. So we broke up the hydro market. We broke it up into distribution; transmission—which is Hydro One—that carries the wires; and generation—which is the guys who produce the power to put on those wires. OPG, which is the generating side, produces power. They produce power competitively to put on the grid.

We have spot markets today. Those spot markets basically dictate the price of hydro. When we opened the market on May 1, Howard Hampton suggested that all prices were going to double and we'd have rolling blackouts and brownouts. We opened the market May 1. The price of hydro was about 4.3 cents. It hasn't exceeded 4.3 cents since we opened the market. It has not gone above 4.3 cents since we opened the market—

**Mr Bart Maves (Niagara Falls):** Per kilowatt hour.

**Hon Mr Stockwell:** —per kilowatt hour, on average, for the day. It hasn't exceeded it yet.

So we broke it up. What did we do by breaking it up? We've privatized the generation side. That means they compete.

The NDP should understand, we're letting green power on the grid like it was never allowed before. The old Ontario Hydro wouldn't allow anyone to put power on the grid; just them. They wouldn't take wind power. They wouldn't take solar energy. They wouldn't take any kind of energy. They would only take the energy they produced, and no one else could put power on the grid. We said, "None of that. That's unacceptable. We need competition. We need competition on the generation side because it's important that competition will keep the price of hydro down. Competition will do that."

**1910**

It was a brilliant move and I applaud the minister at the time, Jim Wilson. He opened up the market for the Ontario power generators to put power on the grid and sell it to individuals around the province, so now we have a good competitive side where we're reasonably well supplied. We're not oversupplied, but we're adequately supplied. We want to get oversupplied, and when Pickering comes on in December and further and further, we'll be oversupplied.



The transmission company is Hydro One. They're the big wires you see—not the little ones; those are the small distribution wires—the big ones that run through the province and carry the power that's put on the grid by all these private operators who are out there producing power, trying to compete for your business.

The distribution companies are regulated, along with the big Hydro One transmission companies. What does "regulation" mean? OPG is not regulated. They can sell power at what they feel is competitive and competition keeps the price down. The regulated companies have to go to the Ontario Energy Board and they can get no more than a 9.88% return on investment; no more.

That means they're a regulated company. They make their submission to the Ontario Energy Board—that's a regulator struck by the government—and they ask for their 9.88% return based on this investment. They have to go out to the private markets to get the money to borrow to build new lines and refurbish lines, and invest the capital dollars. That's the regulated company.

Distribution: I want to talk for a minute about distribution, about the hypocrisy of the local distribution companies and the councils. Why do I think there's hypocrisy there? I think there's hypocrisy there because a lot of these councillors are signing motions at their local councils, telling us we shouldn't be allowed at Hydro One to privatize to create a profit margin of 9.88%. But when we put distribution in place for the local councils, we allowed them a return at the same Ontario Energy Board of 9.88%. We said, "You can either run a non-profit or you can actually get a return."

Do you know what most of them did, practically all of them? They ran a for-profit company, getting a 9.88% return on their investment. Local municipalities—Kingston is one of them, and Sudbury. I was in Sudbury and I was talking to the local guys and they were just timid. I said, "You guys are telling us we shouldn't make a return on the Hydro One transmission through the OEB. Why are you making money on your distribution company?" Well, they were timid. They didn't want to admit that's what they were doing because their local council in fact passed a motion saying we shouldn't do it.

**Mr Rick Bartolucci (Sudbury):** They weren't timid.

**Hon Mr Stockwell:** They were timid, they were embarrassed. Kingston's the same. They are making a return on their investment at the distribution level, yet they are suggesting the provincial government shouldn't, by passing these bogus motions. That frustrates me. Toronto did it too. So they don't think what's sauce for the goose should be sauce for the gander. They think it's the other way around.

**Interjection:** Everybody's against you.

**Hon Mr Stockwell:** No, it's not against me. I said to you it's hypocrisy. It was hypocrisy.

**Interjections.**

**The Acting Speaker:** Order.

**Hon Mr Stockwell:** It was hypocrisy, was all I said. On the one hand, you can't claim that we shouldn't be doing that—

**Interjection.**

**Hon Mr Stockwell:** I'm not accusing any member of hypocrisy. I would never do that. I'm saying the position the councils took was hypocrisy.

Let me move on.

**Mr Bartolucci:** Are you saying Jim Gordon is a hypocrite?

**Hon Mr Stockwell:** No, I never said that.

Now, we talk about California. What did California do? California made a fundamental mistake that Mr Hampton and Mr McGuinty never mentioned. The fundamental mistake California did was that Gray Davis, the Democratic governor, who's sort of a hybrid between a socialist and a liberal, went out there and said, "We're opening the market." They didn't have an adequate supply of power. They produce about 50% of their own power; the other 50% they had to import from outside. But Gray Davis, a silly, silly Democratic governor, pegged the price of hydro at the local level. He said, "Distributors can only sell it for this much." Well, they only produce 50% of what they need, so when they went out to buy the other 50% they needed, they bought it from BC and they bought it from Alberta. When they bought it from those two places, Ralph Klein had no guarantee. He didn't give them any guarantee he would only sell it at this much. He sold it to California for that much. So they imported the power on the lines for this much and the governor said, "You can only sell it through distributors for this much." It took about a week for all the distribution companies to collapse and go out of business. That was the problem in California.

That's not the problem here. (a) We have an adequate supply; (b) We have the OEB as a regulatory body to regulate those companies; and (c) We have the power generation companies producing power in reasonable amounts. So that was the difference with respect to California.

There is a lot of misinformation out there about whether this is bad and that is bad. You heard on May 1, including McGuinty—now McGuinty, he's a funny duck, that fellow. He's a funny duck. He's the guy—

**Interjection:** Oh, he's not that funny.

**Hon Mr Stockwell:** Oh, he's funny; he's very funny. He's the guy who, on December 12, came out and said he was in favour of privatizing the generation side and the transmission side of Ontario Hydro. He said he was in favour.

Get this, Mr Speaker—I know it's hard to believe, but get this. A couple of days ago, he got this put to him. Do you know what he said? He said, "I've been consistently opposed to this." That's the second time he said that.

Then a day or so later they said, "Well, what about this information that on December 12 you said you were in favour of privatizing the generation side and the transmission side?" He said, "That's just a paraphrase. They didn't get it quite right. They were just paraphrasing me." Lo and behold, didn't they just turn up the actual video clip, and there was Dalton McGuinty in all his glory saying the exact words he claimed were a

paraphrase. That's OK, because he's a Liberal. What he said the next day was, "I had to think too quickly, and when I think too fast, I say things I don't mean."

**Mr John Gerretsen (Kingston and the Islands):** He didn't say that.

**Hon Mr Stockwell:** Oh, I'm paraphrasing. When he spoke too quickly, he didn't think he knew what he was talking about. Now he's clearly confirmed it: "I didn't know what I was talking about, so I didn't mean what I said." I guess the question is, when he's talking, how do we know whether he's thinking too quickly or, as he usually does, very slowly? That's the Catch-22. You just can't tell, because there are no facial contortions—if he's raising this eyebrow, he's thinking quickly, so don't listen to him, but if he's raising that eyebrow, he's thinking slowly, so you can listen to him.

So we were confounded. We had a Leader of the Opposition who was trying to say he was with Howie all along in opposition to privatizing Hydro One, and there he was on December 12 last year claiming we should privatize it, and then standing in this House claiming that he never said it. When they said he did say it, he said, "They paraphrased me." When they got the video, he said, "That was one of the times I thought too fast." There's a problem for us, because we have to deal with this guy, right? We have to take this.

**Mr Gerretsen:** No, you've got to deal with Ontario Hydro.

**Hon Mr Stockwell:** Oh, my gosh, I awoke the gaggle twins over there.

Now he says he didn't flip-flop; he says he just changed his mind. I said today, wouldn't it be awful if he was President of the United States and had his hand on the button and, God forbid, he just thought too quickly one day? Six million people dead. Somehow, "I changed my mind" just doesn't cut it at that point, if you know what I mean. So that's where we are, and it's tough going that route. It's a difficult situation dealing with that kind of predicament, but I'm doing my best. That's really where we are with respect to the bill.

There are a lot of good examples of privatization around the world. Australia is a good example. England is a good example. Their rates are all lower than they were when they opened the market. Texas is a good example. They privatized the whole ball of wax: generation, transmission and distribution.

**Mr Michael Bryant (St Paul's):** Talk about transmission.

**Hon Mr Stockwell:** I'll speak slower. They privatized distribution, transmission and generation right across the board.

**Mr Bryant:** What's on the table?

**Hon Mr Stockwell:** Let me try it slower again. They privatized the distribution, the transmission and the generation.

**Mr Bryant:** Is it on the table or off the table?

**Hon Mr Stockwell:** That's what they privatized, and all their rates are lower. That doesn't mean they're higher; that means lower.

*Interjection.*

**The Acting Speaker:** The member for St Paul's will come to order. Minister?

**Hon Mr Stockwell:** Thank you, Mr Speaker. I enjoy the heckling. It makes my night go quicker. It's like a battle of wits with the unarmed.

It went lower, lower—less, less money. When you get a bill, it's not as much as it was the day before. It went down in those jurisdictions. Australia and England are good examples. These are places that went ahead. Texas is a good example. They privatized the operation. They went across and privatized, and they reduced rates.

**1920**

Those are examples that were very effectively put in place. Why? Because they broke up the monopoly—generation, transmission, distribution; they put in tough regulations like the Ontario Energy Board; they gave them fixed return rates—9.88% based on investment; they also regulated and monitored them through IMO investigations; they privatized the generation side to get people out there to sell green power—wind, solar—because green power is the wave of the future, that's the place to go. We're committed to the greens of the world and we're saying, "Put your power on the grid. We want your power. And do you know what? People may pay a little bit more for your power knowing it's green power." We gave them access to the grid when my friend Wilson went ahead with privatization of OPG. It was brilliant. It was a very good idea, and it needed to happen. Why? Because the old Ontario Hydro was a black hole that we poured money into and nothing came back except debt.

Under the NDP and the Liberals, Hydro rates went up 94%. But they were too gutless to actually pass that on to the ratepayers, so they drove up the debt. Now we sit here today and I get heckled from across the floor by my colleagues in those parties saying, "Oh, my gosh, you're doing things at Ontario Hydro." Of course we are. The place was broke. It was fundamentally bankrupt. In the States it would be filing under chapter 11.

Why was it that way? We all know why it was that way, and we're the party that will admit we know why it's that way. When it came to a decision between political expediency and financial sobriety, every politician picked political expediency. Why? Because they knew that if they raised the rates too high, it would cost them at the ballot box. So they let this company run debt—gobs and gobs of irresponsible debt—and they said, "I don't give a damn. My kids can pay the bill." Well, we won't do that.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** Who said that?

**Hon Mr Stockwell:** That's the opposition.

We won't do that. We don't think it's acceptable for the kids to pay our hydro bills. It's unacceptable to Conservatives, and right-thinking, reasonable, thoughtful, financially prudent governments wouldn't buy into that.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** Vince Kerrio, Bud Wildman?

**Hon Mr Stockwell:** None of them. No, not them.



That's where we are. We're trapped in a situation where we were left with a mess to clean up and we've had to deal with that mess.

Talking about Hydro One—and my friend Conway always makes the argument that somehow all this debt was racked up on the generation side. Yes, I admit that a lot of the debt was racked up on the generation side. But don't be fooled into believing—and he leaves the impression but never states it—that somehow the transmission side made money. It never made money. Get that: it never made money. When you hear him speak, don't let him kid you into thinking it ever made money. It never made money. They earned \$350 million a year, they've got billions and billions of dollars they need to invest and they've got a \$21-billion stranded debt.

They also caterwauled and complained about the fact that if we sold this, we weren't going to put the money toward the debt. Do you know what we did? We put it right in the bill: if we sell it, the proceeds will be applied to the debt. Then we got the question from the other side: "What are you putting this in for? What are you trying to sneak by us? You put into the bill that if you sell it, the proceeds will be applied to the debt." You asked us to do it, we put it in the bill and then you ask, "What did you do this for? You're trying to sneak one by us." Honest to goodness, this is the frustration you reach in dealing with this bill: they ask you to do something, you put it in the bill and then they ask you, "What are you trying to subvert us to by putting that in the bill?" We listened to you, and we put it in the bill.

We can go on at length, and the opposition can rail on and on about what a great story Hydro One has been and what a great operation it's been. But the reality is simply—and I say to my friend Wilson who will back me up for sure—that Hydro One hasn't been great for four decades. Hydro One hasn't paid its bills in four decades. Hydro One has been one of the most poorly managed companies in the history of this country, if not in North America. The company was supposed to build Darlington for \$4 billion. Eleven years later, it came in at \$14 billion. I don't know who was running what, whether Ontario Hydro was running the government of Ontario or the government of Ontario was running Hydro; you couldn't tell the difference. It was no different with any administration. It was no different when the Liberals were in power under Peterson, and it was no different when the NDP were in power under Rae.

That's what bugs me about privatizing and the NDP. Who rang up \$5 billion of debt? The NDP did, on NUGs. They ran it up on NUGs, selling private generators to companies. You guys did that for \$5 billion. You want to play this Pollyanna approach that you did nothing wrong and you didn't privatize anything. You rang up \$5 billion for no good reason. We're paying them today and they're producing precious little in the way of power. It had to be one of the dumbest things Bud and Moe did on their excellent adventure over four years. That's what we were trapped with.

Furthermore, when the Liberals were in power they didn't move to curtail it one bit. In fact, both went to power claiming they were going to tame this wild nuclear beast, remember? The Liberals came in saying, "We will tame this wild nuclear beast." The NDP said, "We will tame this wild nuclear beast." They tamed nothing—nothing. They continued to ring up debt at alarming rates.

So the suggestion in this House that somehow it's been a crown jewel—it's a piece of coal, folks. It's not a crown jewel; it's a debt.

*Interjection.*

**Hon Mr Stockwell:** Well, that's lovely. That's just lovely talk. If I knew who you were, I'd come back at you.

We have this idea that it's a crown jewel. It's not; it's a piece of coal. It's a debt that's two and a half times broke. They're asking us to save this debt, to save this company, and the situation is we can't afford to any more. We can't afford to be piling money on to ring up further debt that we're asking our kids to pay.

The member for Hastings-Frontenac-Lennox and Addington wasn't very complimentary, I might add.

We're in a situation today where it's OK if you guys have an idea that's better than our going through an IPO or an income trust. If you don't think a non-profit or a strategic sale is the way to go, then what's your alternative? What's your alternative?

You don't get one from the opposition. They tell you "The status quo," but that's what they've been arguing since Sir Adam Beck passed away, the status quo. The status quo isn't sustainable. Some \$350 million in profitability when you need to borrow billions and billions more dollars and you've got a \$38-billion debt and \$17 billion in assets? It's not sustainable. That wasn't the route to go. So we have to make a decision, and the decision that we will make will be a decision that will provide power at a reasonable price to the people of the province of Ontario.

Let me just dismiss one of the other accusations, about the power being shipped to the United States. We can only ship 4,000 megawatts of power a day to the United States, maximum. The argument they use in this House is that they pay three times more for power in New York. What they forget to tell you is where. Where do they pay three times more for power in the United States? One place and one place only: New York City, Manhattan. Why? They don't have the capacity to deliver the power into New York because they don't have enough infrastructure in the lines to get the power into the city, so they pay a premium for that commodity because they can only ship in so much on any given day. That's why they pay three times more.

If you look across the States, Ohio pays one third of what we pay. Why? Because they've got coal-fired plants. New York pays about the same; some days more, some days less, some days about the same. Pennsylvania and the other competing districts pay about the same also. So this argument about NAFTA, not only is it incorrect, but why would they import our power if it's

about the same price as what they're producing it for? That's why we have to get competitive.

Listen, I think it's a good idea if we can ship power to the Americans. Do you know why? Because if we don't need the power and we ship it to the Americans, they're helping pay down our debt, that stranded debt of \$21 billion. So why wouldn't you want to ship the power south?

The arguments across the floor about power and needs—we have a study that was produced, excluding Pickering, that says we can produce between 25,000 and 30,000 megawatts of power a day. Do you know what we use in average consumption? I wonder if anyone does know. Do you know what the average power consumption rate a day for Ontario is? 19,000 megawatts a day. We produce between 25,000 and 30,000. The most we've ever used in one day was back in August of a year or two ago when we used 25,000 in one day. We bought, I think, at that time from competing jurisdictions. Quebec provided us; one day. We produce more than we consume.

1930

If we produce more than we consume, tell me why anyone wouldn't want to take that extra, ship it south and sell it to the Americans. Why would you not want to do that? (a) Jobs, prosperity and investment in Ontario; (b) the Americans pay for it; and (c) after they pay for it, they're helping pay down your debt. Who could be opposed to that except the axis across the floor? That's what concerns me, the axis from there, because there's a private member as well.

If you can't use it, you can't store hydro power. You produce it. There's no little vat of hydro power that you can store and somehow on a rainy day or a cold day you go back and tap into your store. You can't. You produce it, you use it.

Mr Speaker, you're going to hear a lot of caterwauling and complaining, but the factual documentation, simply put, is this: not a single administration—not a single administration before this one—was prepared to tackle the hydro issue. Every one of them ran up debt on debt on debt and every one of them was very, very happy to let the kids and grandkids pay their hydro bills. This is the first government that's actually taken this issue on. It's a tough issue, I admit. But if you think the status quo is somehow an option, you are completely out of your mind—completely out of your mind.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Pay it out of tax cuts.

**Hon Mr Stockwell:** What are you talking about? Pipe up. What are you talking about?

*Interjections.*

**Hon Mr Stockwell:** Look, we campaigned on that in 1999. That one's over. What's that got to do with the hydro debt?

*Interjections.*

**Hon Mr Stockwell:** I'm OK, Mr Speaker. I'm OK. I like this. It's a good give and take. It's better when there's something interesting coming from the other side, or a little repartee that demands a response. Sometimes it

doesn't, and I'm finding that with the member for Hastings-Frontenac.

**Mr Gerretsen:** You're the only guy who's interested.

**Hon Mr Stockwell:** No, no. The member for Kingston is generally quite quick on his feet, even when he's sitting down. But I've got to tell you, the fact is it wasn't sustainable and there was no administration that took on Hydro and the debts that were accruing year after year after year.

I know the members across the floor don't like it. Mr Patten was there. Mr Ramsay was there. He was there in an administration that dealt with the Hydro issues. They didn't do anything about it. They just allowed the debts to go up and up, and they campaigned on the fact that they were going to close down the nuclear plants. They didn't close down the nuclear plants; they just let the debts go up and up and up. Then the NDP got in, and who knows what their strategy was. I don't know.

**Mr John O'Toole (Durham):** They didn't have one.

**Hon Mr Stockwell:** Well, it was certainly a strange one. But they allowed the debt to go up and up and they didn't solve the problem. We have solved the problem. Yes, we've limited the debt. The stranded debt will be \$21 billion. We've limited the debt it can accrue. We've at least stopped the bleeding: 35% of each bill will be applied to the debt so it will be paid down over a number of years.

I want to thank the members opposite for listening. I want to go do a radio show today to talk about how the Liberals didn't support us today on the bill on the compensation for senior executives in Hydro One, which is very disappointing considering they were caterwauling for two weeks about it. They get the first opportunity to do second and third readings on the bill, and they refuse to do that. So I need to go—

**Mr Gerretsen:** I didn't see the bill.

**Hon Mr Stockwell:** Oh, he said he never saw the bill. You never saw the first Hydro bill and you still voted against it. It didn't seem to bother you then. You seem to have a curious idea about when you need to see a bill and when you don't. The other bill was voluminous, it was 55 or 60 pages. It would have taken the average Liberal three or four months to read. And here we had it, you had a first reading, you voted against it. You didn't seem to worry about that one. Yet today, when there's a little political courage on the line, you've got to take a little bit of a stand, you've got to defend the taxpayers rather than Sir Graham Day and your friends the knights of the round table, no, you stand up for Sir Graham Day. Well, we're standing up for the people of Ontario. Sure, I was disappointed.

I appreciate the fact they listened and appreciate seeing their keen interest in this issue. I want to thank my friend from Scarborough East, who's going to wrap up for the good Conservative Party of the province of Ontario.

**Mr Steve Gilchrist (Scarborough East):** I don't know how I could ever follow that 42 minutes of passion, that 42 minutes of an accurate recounting of the history



that has led us to where we are today, 42 minutes chock full of facts, chock full of all of the rationale for why this bill must go forward.

I hardly know where to start. The very root of this bill is in fact our rejection of an unelected judge's position that the Ontario government, and by extension no one else in the province of Ontario, has property rights.

I remember when my father was one of only half a dozen people with the courage to vote against Mr Trudeau's Constitution, precisely because Mr Trudeau made it clear that the Liberal version of the world refused to allow property rights to be enshrined in the Constitution. We're paying that price today when we see rulings such as the one that is the root of the legislation that we've had to bring forward here today.

Let's not confuse the issue. There is nothing in this bill that decides the fate of Ontario Hydro. This bill simply reinforces the fact, the historical reality, that anything owned by the Ontario government was fair game for disposal, enhancement, alteration—whatever the province and its elected members in their infinite wisdom decided to do with that asset was fair game. The judge has suggested that one of the options, the disposition of an asset, is no longer appropriate. We reject that, not because of Ontario Hydro, per se, but because it is fundamentally wrong in law. We are also appealing his ruling and we leave to the Attorney General the important challenge of carrying forward to the Supreme Court ultimately, because undoubtedly the unions will challenge it at all the intermediate levels, the important legal clarifications that must be brought forward. But in the meantime there is a sense of urgency for the resolution of the problems at Ontario Hydro's successor companies, starting with Hydro One.

It is really quite incredible to hear the members opposite, who for weeks have suggested that there are any number of ills, any number of sins to lay at the feet of the board of directors of Hydro One. That would be, I reinforce, the current publicly owned corporation, Hydro One. Whether it's the salaries or whether it's the severance packet or whether it's the sponsorship of a yacht or whether it's other decisions that have been made by that board, the members opposite, on the one hand, caterwaul, complain, mewl and puke—as Bill Shakespeare used to say—about how terrible it is that this board of directors has been able to make these incredible decisions totally out of sync with the reality in the marketplace, but then they turn around and tell us, "We don't want to look at changing the status quo. We don't want the government to find better ways to bring market discipline to the operation of Hydro One. We don't want to see them emulating the successes in other jurisdictions all around the world," and, may I say, including here in Canada.

The members opposite should know, if they don't, that other provinces—Nova Scotia is the first to come to mind—many years ago disposed of their transmission of electricity. They allowed everything to go to the private sector. And do you know what? The sky hasn't fallen. When they throw on the light switch in the typical house

in Nova Scotia, when the factory powers on the machines, the electricity is there. What a radical concept. Reliability has actually improved. The average outages in Nova Scotia have dropped from 2.5 per year to 1.9. A more reliable delivery of electricity has been the legacy of breaking of their old public monopoly.

I'm not standing here today suggesting the government has in any way predetermined the outcome of our deliberations on Hydro One. We haven't. But one thing we have ruled out is perpetuating the status quo, the legacy of \$38 billion in debt between all of the successor companies versus only \$17 billion in assets. If this was in the private sector, if this was the real world, they would have gone bankrupt years ago. Why? As the minister correctly pointed out, because governments of all stripes for the last 40 years showed no courage, showed no fiscal responsibility, showed no business sense. They simply passed the buck back to the board of directors of Ontario Hydro and said, "Go ahead, keep driving up your costs, keep buying those nuclear plants at twice the price the manufacturer quoted you. Keep doing all sorts of things, multi-billion dollar boondoggles. We don't want to have the electricity prices increased to reflect those mistakes because we know the consumers would get mad."

Here's the problem: the consumers are also the taxpayers, and the taxpayers are just as mad as they would have ever been if they had gotten that \$38 billion in debt driven up in their hydro bills. They're mad that their children are going to be continuing to pay for the hydro consumed by themselves and quite frankly by their parents—by their parents. This has been going on for 40 years. It cannot be allowed to continue any more and our government will not allow future generations to pick up the tab for our own consumption of electricity.

#### 1940

The members opposite are clearly challenged by that very fundamental reality. For the sake of opposing, they are standing up and saying, "We won't let you move forward. We will not look at all the successful examples in the States, in Great Britain, in Australia, in other provinces of Canada. We want to stick our heads in the sand." That might be better applied to the Liberals.

Our colleagues in the NDP go well beyond that. I can tell you that it is really disappointing knowing that the NDP, by signing up for a vast amount of power—God knows who advised them that the sky was falling back in 1994, but the members opposite, all nine of the members who continue to serve in this House and a whole lot of others whom the electorate has already dealt with appropriately, decided that even though the price they were charging consumers for electricity was 4.3 cents a kilowatt hour, in their infinite business wisdom they signed deals to buy that same power for 5.79 cents a kilowatt hour. Let me get this straight. If they were running a Canadian Tire store, they think it would be appropriate to buy a gallon of paint for \$5.79 and sell it for \$4.30. Wow. How long are you going to stay in business, Mr Christopherson? Well, just about as long as you stayed in government.

The reality is we ran up a debt of \$5.2 billion; \$5.2 billion is on the heads of the NDP, absolutely. And this wasn't for a few weeks; this wasn't to get over a hurdle; this wasn't because somebody called up and said, "Listen, the Pickering plant is going to have a couple of reactors down and the Bruce plant is going to have a couple of reactors down but, you know, we'll have that up and running in another year or two." No. They signed these contracts for 25 years—25 years. What arrogance. I think everyone else knew on election night 1990 that they had elected a one-term wonder, but the NDP obviously had quite egotistically suggested that they were going to be there for another 25 years. I would hate to think the alternative, because the alternative is that even though they knew they wouldn't be here, they were going to bind the hands of future governments and future taxpayers for \$5.2 billion worth of debt. What a shameful legacy.

Before the members of the Liberal Party gloat too much, you finished Darlington at a price twice what Atomic Energy Canada quoted to build that utility. There was another \$8 billion lost. Again, the demand was not there to justify the expenditure. I'm prepared to stand here right now and say Bill Davis and the government that he oversaw certainly were no saints. The reality is governments of all stripes failed to recognize that a debt borne by Ontario Hydro, co-signed by the taxpayers, was absolutely unconscionable. There was no good reason. By denying the market forces, by denying the exposure of that debt on the electricity bill, we prevented taxpayers from doing what should have been done: applying electoral discipline to punish those who had so frivolously driven up the debt that they and their children will ultimately have to repay.

One of the other things we're very proud about in terms of opening the marketplace on the generation side—and again, I would urge anyone watching tonight or reading Hansard subsequently to reflect that the same "sky is falling" message you're getting from the Liberals and the NDP on Hydro One they were spouting about the opening of the marketplace on the generation side.

Yesterday I printed off a chart. It's available, in fact updated every few minutes, at [www.theimo.com](http://www.theimo.com) on the Internet. On that chart, you will be able to see the actual price of power that your utility is buying today.

I mentioned a few minutes ago that the price we were all paying on April 30, the day before the market opened up, was 4.3 cents per kilowatt hour. The Chicken Littles on the other side certainly scared a lot of seniors, certainly scared a lot of low-income Ontarians, certainly scared a lot of people who thought they knew enough to make an objective and informed decision. But interestingly enough, the weekly average price from May 15 to May 21 was 2.525 cents—2.5 cents instead of 4.3 cents, absolutely what you would expect.

No member opposite has yet stood up in their place and given an example of a single product they have ever bought or have ever contemplated buying where, if more vendors brought a greater supply to the marketplace, the price went up. If another hardware store opens up, the

price of lumber and nails doesn't increase. It may stay the same, but it will most likely decrease. If a grocery store goes in across from your existing grocery store, you can expect all sorts of products to go on sale. You can't name me one product where the laws of supply and demand have not worked. Why would you think it will be any different in the provision of electricity?

Think back a decade ago to when our telecommunications were opened up, that vaunted monopoly, just like Ontario Hydro. I'm sure the members opposite probably have regaled their grandchildren with all the stories of how wonderful it was to have Ma Bell as your sole phone provider. I imagine they just split their sides every Christmas when they get together to talk to all the kids and the grandkids about paying dollars per minute to phone overseas, about having your phone bill increase year after year, with no counterbalance, with no alternative, with no choice. It is the highlight of your year, I'm sure. Today we've got two full-service local companies, we've got four cellular companies and literally an infinite number of long-distance providers. Now when you call Great Britain, you're more likely to pay 7 cents a minute instead of \$7. That's the legacy of opening up a commodity like telecommunications or electricity to competition in the marketplace.

There may very well be cyclical changes in price throughout the year. Obviously more water flows through the turbines in the hydraulic plants in the springtime than at any other time of the year. Therefore, our cheapest power is available in the spring. Anyone who knows anything about the electricity generation market would understand that. I have no doubt that when you average the cost throughout the year, you're still going to find that, just like that telecommunications model, the price will drop.

So as we stand here right now, do we expect that someday the Toronto Star will have a front-page story that for 10 minutes at 7 o'clock last night, the price hit 20 cents a kilowatt hour? Yes, I imagine they will. What they won't tell you is that at 3 am that morning the price hit 1.02 cents per kilowatt hour and when you average it throughout the entire day it was still cheaper, because they know that the average person reading that newspaper won't know about [www.theimo.com](http://www.theimo.com). They sure as heck aren't going to tell you, because that sort of destroys the mythology and then somehow the Liberal spin is incorrect.

#### 1950

There are so many things bound up in this debate, but the bottom line is that this bill was necessary to allow the government to retain the options to do the right thing. Yes, the former Premier had a certain predisposition, had made certain decisions. But that was the former Premier. You not only have a new Premier; you have a new minister, you have a new parliamentary assistant, and we have all sorts of opportunities to reflect on new ideas that have been brought forward to us. We're going to reflect on those ideas over the next few days and weeks, and ultimately we're going to make the right decision to



protect the consumers of this province and to continue to ensure that the kinds of problems that the members opposite have harped about for the last two weeks are never again—never again—a reality within the transmission and distribution system in this province.

I think it really is appropriate to put on the record, though, just how difficult it's been for the government to try and confront what we hear from the opposition every day. I've mentioned the fact that even though both of those parties were intimately involved in driving up the debt and both of those parties have critiqued the existing public board, they as yet have not stood in their place and said, "Here's what we would do. Here's the vision we'll give to the people of Ontario." No, no, we always get the really cute, "Oh, we'll tell you come election time. Don't ask us to demonstrate any leadership. Don't ask us to demonstrate any innovations, any intelligence, any knowledge of what's really happening out there." No. Instead, we've got Mr McGuinty saying last December, "I think it's important that we move ahead with competition, both in terms of generation and in terms of the transmission." That would be the bill we're talking about here today, folks.

"We've been getting a bit of a free ride here in terms of the debt that Ontario Hydro has amassed. But if we're going to move forward with privatization, as I think we should"—again Mr McGuinty—"then let's bring it into the House."

To the members opposite, Mr McGuinty on the news-wires today has admitted to flip-flopping on his position, has admitted to being a tad hasty when he gave that quote back in December, has admitted to having at least three different positions on this issue in the space of 24 hours.

I think it's time as well for Mr McGuinty and the other Liberal members in particular to stand in their places and say definitively what they do believe should be the future of Hydro One, what they do believe should be the protections for the taxpayers and consumers, what they do believe should be the way to ensure that we never again have the same kind of problems at Hydro One, and what they do believe is the final position of their leader, Dalton Flip-flop McGuinty.

**The Acting Speaker:** Questions or comments?

**Mr Christopherson:** Let me just say to the minister and the member for Scarborough East that what was interesting throughout that entire diatribe by the tag team was that not one of them had the decency to acknowledge that it was two unions that brought democracy to this place in terms of this issue. The member for Scarborough East was throwing around in his closing remarks, "demonstrating leadership." Where was the leadership from the former head of this party, this government, who just nonchalantly, on his own, cavalierly, arbitrarily announced that he was going to sell Hydro One? The only reason—the only reason—there's a debate tonight and in the ensuing days and nights that we debate this is because two unions that believed in democracy in addition to the public ownership of Hydro, but believed in democracy, took this issue to court. And once again it took the courts

of the land to give the people of Ontario their rights after their own government had run roughshod over those very rights.

I mean, it's not a wonder now, if anyone had any doubt, why this government has gone after the labour movement. Why have they gone after organized labour? Why do they not want one penny of union dues to go toward any kind of political activity, political action or lobbying efforts? This is the example. Two unions that said, "This is not right; it's not right for our members, it's not right for our communities, it's not right for the people of Ontario," took this government to court and they won. It's only because of those two unions, CEP and CUPE, that we even have the right to debate this tonight, because this government doesn't believe in democracy enough to bring it here.

**Mr Spina:** It's interesting. With all due respect to the member for Hamilton West, who talks about unions and democracy, I often think of that as an oxymoron.

The minister did an excellent job of laying out the situation and the realities of this whole circumstance around Hydro, followed by the member for Scarborough East. I think our situation, the situation as it exists, has been accurately portrayed. In fact, I think we must proceed to do what is best for the province of Ontario, for the taxpayers of this province.

**The Acting Speaker:** Questions or comments? Response?

**Mr Gilchrist:** I guess the paucity of feedback from the Liberals simply reinforces the fact that they can't get their act together over there if they're not rebutting the minister's comments or my comments. Clearly they're just going to weave one of their other fantasies and fairy tales over there.

To the member from the NDP caucus, it's interesting that you talked about unions. As the member himself would know, he's been very selective talking about which unions took a contrary position. He and all his colleagues have so far, in all the debates, been loathe to talk about the Power Workers' Union. Yes, those would be the people who actually know what they're talking about because they run the power plants, work on the transmission lines. That's why I find it really quite a glaring contrast that the Power Workers' Union not only supports privatization on the generation side; they invested in the leasing of the Bruce nuclear plants. They put their money where their mouth is.

You may have missed the article just the other day that already, in the last quarter, having over-achieved the profit expectations up at the Bruce nuclear plant, every one of the employees up there got a profit-sharing cheque for \$3,920. So while some of your other friends are out there charging the barricades and tilting at windmills, the members who actually work in the power plants, the members whose very futures I would have thought you cared about most because it's their jobs on the line, you don't talk about. He doesn't talk about it because they not only support privatization on the generation, they support privatization of the transmission and distribution. We

value their input. It's a shame the NDP doesn't care about the Power Workers' Union.

**The Acting Speaker:** Further debate?

**Mr Conway:** I rise to make some remarks on the second reading of Bill 58, An Act to amend certain statutes in relation to the energy sector, the bill tabled by the Minister of Energy, Mr Stockwell, a couple of days ago.

Let me say at the outset that my caucus colleagues and I will oppose Bill 58 for reasons that I will make plain over the course of the next while.

I think all of my colleagues would agree that the Hydro question continues to be an important question, at a whole bunch of levels, not the least of which is the substantive question around the role of electricity to every citizen in the province of Ontario.

I want to make a procedural observation or a process point at the beginning. What we essentially have in Bill 58 is an envelope without the letter. We have a bill that clarifies the provincial government's right to dispose of the shares in the company that we know of as Hydro One.

I should say at this point that my colleague Mr Bryant will deal with the legal matters arising out of the Gans judgment and I won't be spending a lot of time on that question. But I do note that we have a bill that essentially gives or clarifies the government's right to sell Hydro One, that successor company to the old Ontario Hydro that essentially operates two major businesses: the high voltage transmission grid, the electricity highway, and a distribution network that distributes electricity to about 1.2 million Ontarians.

**2000**

Still, five months and some weeks after Premier Harris stood up without notice in mid-December and declared his intention as a Premier about to retire to sell Hydro One, neither Mr Harris in mid-December of last year, nor Mr Eves, the new Premier, nor the now or former Ministers of Energy, Mr Stockwell and Mr Wilson, has ever explained to this Legislature or to the Ontario public why we should sell particularly the electricity highway, which is the transmission company.

I want to just draw back and make a couple of observations in response to some comments the minister made earlier. Much has been made by the government minister and some of his colleagues about debt, and it is a fair point to observe that Hydro debt is a real issue. I just simply make the point that the so-called stranded debt, which is the debt that is not able to be serviced by the successor commercial companies, has actually gone up by over \$1 billion since the old Hydro was broken up in 1999. That's an important point to observe. The Hydro stranded debt has gone up by over \$1 billion in the last couple of years under the leadership of Mike Harris and Ernie Eves. If debt is an issue, and particularly stranded debt, I might ask my colleagues on the treasury bench, how is it that you have allowed the stranded debt to rise from something around \$19.5 billion to something now

approaching \$21 billion in just three years? I think that is an important question.

If you are also worried about the non-stranded debt—and you might have a very interesting point. I suspect that one of the great rip-offs in the Hydro matter of the last few years was the breakup of the old Hydro in 1999 and the assignment of debt to the successor companies. The minister talks about the \$38 billion worth of debt. That's what the total debt was at breakup. We assigned about \$17 billion of that debt to the successor companies: Hydro One and Ontario Power Generation. I suspect, though I can't prove, that we did not assign sufficient debt to the successor companies, particularly to Ontario Power Generation. My guess is the stranded debt was somewhat higher than it ought to have been, but I don't know. Like most things in the Hydro debate since the beginning, the Legislature will be the last to know.

**Mr Bob Wood (London West):** You can't know until you sell.

**Mr Conway:** The member says, "You can't know." That may be part of it, but you know something? Ontario Power Generation walked away three years ago with in excess of 7,000 megawatts of highly valuable hydro-electric power. I'm going to tell you, I am very dubious about the asset value assigned to that. My guess is that it was undervalued.

*Interjection.*

**Mr Conway:** The problem, I say to the member from London, is that everybody at that table had a vested corporate interest. The general public and the general ratepayer was not at the table and had no way to independently assess whether or not the valuations at breakup were fair, and particularly fair to the general ratepayer and fair to the general taxpayer.

*Interjection.*

**Mr Conway:** The member says, "You get the money." I'll tell you that the general taxpayer and the general ratepayer is going to get it in the neck. It's just like Bill 58. It is the same old Hydro story: act now, buy something on promise, and don't worry, be happy. It will all work out to your advantage.

I agree with the earlier comments that no government, whether it is Liberal, Progressive Conservative, Farmer-Labour or New Democratic, is covered in much glory on the Hydro file. There are some themes over the century that one ought to observe. The most essential theme about government-Hydro relations is: act now, offer the promise, and worry about the details later. It is always the later that brings the nasty surprise. And we are doing absolutely nothing different here in this exercise than we've done before. As a matter of fact, four years ago about now, I think I was probably the only person here tonight who sat in the committee dealing with Bill 35, the act that essentially created the new electricity policy. Do you know what Minister Wilson said at that time? "Hey, pass this bill and rates are going to go down and service and everything else is going to be improved."

The Liberal caucus held some hearings on electricity in this Legislature just a couple of weeks ago. I thought it



interesting. A very knowledgeable electricity policy person came to us and said, "Just for your information, my residential electricity bill," and he's a retail customer in Burlington, "has gone up this past 12 months by 20%." That's not untypical at the residential level. Let me tell you, it will be going up another 10%, 15% or 20% in the coming 12 months. God help you if you've got a bad retail contract, because there are a million of those contracts that have been entered into that are not all bad. My conservative estimate is that probably 20% of them are grade A stinkers, and for those people their price for the coming months is going to be much higher in terms of a rate increase with much more pain.

The member who spoke previously said, "You know, this last six weeks since the market opened prices have been very, very low," and he's right, he's absolutely right. Has anybody noticed anything about the weather this spring? There really hasn't been a spring. We've had an uncommonly cool, wet spring in much of Ontario. That's not the only factor in keeping prices low, but let me tell you it is a factor. We in southern Ontario reach our peak usually in the summer, and one of the things that drives the summer peak in the Golden Horseshoe is not only the fact that we've got so many more people and more commercial offices and what have you, but we live in an air-conditioned world. There hasn't been much air conditioning demand this last few weeks, but unless this is an extraordinary summer, and it might turn out to be, stay tuned. I have a feeling that by the time we get into mid- to late July, early August, the previous speaker probably won't want to bring those charts here. That's the future.

Let me just cite again, one of our witnesses, a very knowledgeable policy person, came to our hearings, the Liberal caucus hearings, a couple of weeks ago and said, "For the last 12 months in Burlington my electricity bill was up 20%." Jim Wilson said four years ago, "Pass this Bill 35, open up the electricity marketplace and your price is going to go down and your service is going to go up."

2010

Let me tell you about service. One of the reasons that Hydro debt has been going up is that the company that is Hydro One, in absolute contradiction to all of the advice provided to the government by, among others, Donald Macdonald et al on the famous Advisory Committee on Competition in Ontario's Electricity System—and Macdonald recommended six years ago that, whatever else happens, Ontario Hydro should not be expanding its distribution and retail business in southern Ontario. What has Hydro One been doing under the nose of the Harris government, under the nose of Deputy Premier Ernie Eves? Why, they've been out buying up almost 90 municipal utilities, some as large as Brampton, some as small as Chalk River. They've been spending over a half billion dollars of borrowed money to do so, and we are told by knowledgeable experts that in most cases they've been paying a premium price of about 30% over real value to make those purchases.

Debt, you ask? Well, your own successor company, with you as the only shareholder, has been out running up debt by the hundreds of millions of dollars, acquiring local distribution companies like Brampton, Chalk River, Thorold and about 86 others I could mention, and to what end? I can tell you that if you live in a community like Deep River, where a couple of years ago Hydro One brought you your utility, you know that the service has definitely gone down while the price has gone up, and we're told it's only going to get worse. We're told by financial people, "You know, the people running Hydro One have to"—and I love the phrase—"wring more efficiencies out of these acquisitions." What do you think that means, my friends? I tell you, it's not going to mean improved service. Just go and talk to people in many of those Hydro One franchise areas. I see some of my colleagues looking rather knowing. I met a young reporter from CBC. He's off up Highway 11 north of North Bay, apparently to do a story on some utility up there that's had the Deep River experience.

Debt? Well, stranded debt has gone up in the last couple of years, Hydro One debt has been going up by hundreds of millions of dollars, retail costs to residential electricity consumers have been going up by double-digit factors in the last year or two, and more to come. That's the performance against the benchmark established by Jim Wilson four years ago.

**Mr Wood:** The benchmark starts with deregulation.

**Mr Conway:** My friends opposite, particularly the neo-Cons, say, "The benchmark starts with deregulation."

I want to make this observation: if there is anybody in this chamber who seriously believes that electricity is a commodity like the rest, they are, with all due respect, dreaming in technicolor. Electricity is a commodity unique in these respects: it is absolutely essential—we must have it—and you can't store it. You can't store it, and you must have it. That's what gives this remarkably unique commodity that we know as electricity such political salience and power. That is why anyone in government, particularly in an advanced post-industrial economy such as we have in Ontario, is going to have, at best, a very difficult and troubled relationship with the electricity business.

I note again press reports of recent weeks that the big power consumers have wrung about \$200 million worth of subsidy supports over a transitional period—I think it's three or four years—to be paid for by "the system." Is that a surprise to anybody? It's certainly not to me.

**Mr Wood:** What did Peterson do about that?

**Mr Conway:** The member opposite says, "What did Peterson do?" Well, what did we all do?

I'm simply saying to the member from London, you have said you're going to open up the market, you're going to improve service and, most importantly, you're going to bring down debt and bring down rates. I'm telling you here tonight that in the last three years you have been running both the stranded and the non-stranded debt up by billions of dollars, you have been

driving residential rates up significantly and service for a very significant number of Ontario electricity customers is poorer than it was four years ago. And I cite my friends in Deep River as one of many examples.

We have a bill here tonight that does a number of things, but essentially it clarifies the government's right to sell Hydro One, it seeks to change some aspects of the consumer protection provisions of earlier legislation and it clarifies the ownership of the so-called corridor lands. I'm going to come back to these three issues shortly, but my question to my friends on the treasury bench is: where did you get the mandate to sell the electricity highway?

**Mr Wood:** In 1995 and 1999.

**Mr Conway:** No, you did not. I looked carefully at your manifestos in 1995 and 1999, which to their credit were very clear in some other respects—you were much clearer about the LCBO and TVO than you were on Hydro One. I look at those manifestos, which are essentially silent on the sale of the electricity highway, and then I go back to the testimony of Minister Wilson in the committee hearings around Bill 35, and it couldn't be clearer: you yourselves admitted you didn't have a mandate because you didn't plan to sell the electricity highway.

*Interjection.*

**Mr Conway:** Well, I'm just telling you what I think the facts make reasonably plain. All I'm saying to this House—and perhaps I understand better than many, because I've been around this debate longer than most people—is that I understand there are a variety of opinions. I understand there is an argument for the sale of the electricity highway. I have never accepted it, and I don't support it. But I guess I say to my friends opposite that if that is your position, then at some point you are going to have to come into the town square at high noon and explain clearly why it is in the public interest that you, on our behalf, want to sell particularly the high-voltage transmission portion of Hydro One, the electricity highway.

I want to take the House into my confidence around some data. Much has been made, particularly by this minister, about the bad financial situation at Hydro One. Well, I have in my hand the actual financial statements of Hydro One for the three years since its creation in 1999, and I want to summarize the data.

The profit of Hydro One in each of those three years is as follows: the profit in 1999 is reported at \$375 million, the profit in the year 2000 was \$378 million and the profit in 2001 was \$374 million. That profit of \$375 million, give or take a million or two, is after that company paid financing charges and payments in lieu of corporate taxes of nearly \$1 billion in each of those three years. And in each of those years, Hydro One was investing anywhere between \$275 million and \$325 million in plant and equipment upgrading the electricity highway.

**Mr Wood:** And paid nothing against the stranded debt.

**Mr Conway:** Well, I want to make the point that according to the financial reports of Hydro One in each of the years 1999, 2000 and 2001, Hydro One was reporting a profit of approximately \$375 million a year. I might add that while only one third of the revenue for Hydro One comes from the transmission business, the electricity highway, two thirds of the profit comes from the electricity highway. And Hydro One has been making an annual investment in capital equipment for transmission, the electricity highway, of anywhere between \$275 million and \$325 million a year.

According to these financials, Hydro One, and particularly the transmission part of the business, is very good business. I can absolutely understand why somebody would want to buy this. My question is: as the trustee for the owners, the people of Ontario, why does the Harris-Eves government want to sell this company?

**Mr Wood:** Because of the record over the last 40 years.

**2020**

**Hon Mr Conway:** Ah, he says, "Because of the record over the last 40 years." Well, I want to again say what I have said before. There are three distinct components to the electricity business. There is generation, where we produce the power either by dropping water over a dam, by splitting atoms or by burning fossil fuels; we have the electricity highway, the transmission system; then we have distribution, which is taking the power from the high-voltage grid and distributing it through your neighbourhood in Toronto or Pembroke or on the farms in Haldimand and Norfolk.

In Ontario, generally speaking, 50% of the cost of electricity, 80% of the trouble and 90% of the debt attaches to the generation portion of the business. It is a real problem. It is perhaps an intractable problem. To give the government of Ontario its due, five years ago under the able leadership of the Reverend Derwyn Shea, late the member for High Park-Swansea, a number of us served on the select committee of the Legislature dealing with the troubles at Ontario Hydro nuclear. That committee, ably led by Reverend Shea, made it very plain to the membership of the committee from all three parties that we had a problem; we had a serious problem. That was the problem that was overwhelming government and, if we weren't careful, was going to overwhelm the Ontario economy. I submit to this House tonight that that remains the overwhelming issue for Her Majesty's provincial government. There are not—

*Interjection.*

**Hon Mr Conway:** As I say, the distribution—I want to make the point that the government's own blue-ribbon panel, led by Donald Macdonald, couldn't have been clearer on what needed to be done on distribution, and Jim Wilson and Mike Harris basically gave Don Macdonald and Darcy McKeough the middle finger salute and said, "Go to hell. We're going to go and do exactly the reverse of what you recommended. We are going to buy up all of these utilities and we're going to put into the legislation, Bill 35, a set of rules that in fact



skews the playing field to our advantage and our company, Hydro One, is going to take that advantage at full sale." That's what you did on distribution. You've managed now to totally screw up an orderly restructuring of the distribution system which everybody I talked to from about 1985 through to 1996 agreed needed to happen.

Now I don't know what's going to happen. I'll tell you, in my part of eastern Ontario it's a mess. It's a mess that's really going to upset customers. We've had examples in the last couple of months—

*Interjection.*

**Mr Conway:** I'm simply pointing out that the government got very clear advice on the distribution sector and they ignored it absolutely, to the disadvantage of customers and very much to the disadvantage of the financial health of Hydro One.

The question remains, the problem—and it's a real and serious problem—is over in generation. It's not with the electricity highway. So not only do you not have a mandate—you didn't seek a mandate; go back and look at the Harris election platforms in 1995 and 1999 and find language that talks about the sale of the transmission system.

I should digress to make this point. The transmission system, the electricity highway, was the original Ontario Hydro. That's what Adam Beck built in the pre-World War I years.

**Mr Wood:** Generation too.

**Mr Conway:** Oh, no. In the beginning, Hydro was the electricity highway built by the municipalities with the bonds guaranteed by the provincial government. The First World War came along and the war effort occasioned a move into generation, but in the beginning Ontario Hydro was a public electricity highway.

I simply say tonight, on behalf of my colleagues, to Minister Stockwell and to anyone else in the government of Ontario, including Mrs Witmer, the Deputy Premier, who has happily joined us this evening, what is the argument in the public interest for the sale of the electricity highway which business, over the last three years, has been reporting an annual net profit to the shareholder, the people of Ontario, of \$375 million a year, two thirds of which is coming from the electricity highway? You've never made an argument. When are you going to make that argument in the public interest? I know why you haven't made it.

*Interjection.*

**Mr Conway:** If Mr Wood wants to join the debate, he'll have his time.

I want to say to the Deputy Premier, I think I understand why there has been silence on that subject. The government knows that it's not about the public interest. There is no public interest case that is compelling on this subject. It's all about the private interests. Let me tell you, the electricity business is a \$10-billion annual business. Every special interest, every shark you could imagine, is in this water, and they all want to feed on the over four million residential customers. Those residential

customers are going to rightly expect that their government is going to protect their interests. So my question remains, when is the government of Ontario going to do what it has not done, namely, make the case in the public interest for the sale of the electricity highway, a very good business that my colleagues and I believe should remain in public hands?

I would have thought as well, after September 11, that we would have given, all of us, some added thought to how strategic is the electricity highway, particularly in our part of Canada and North America. If you look at a map of this province and look at the continental situation, boy, southern Ontario kicks right into the gut of one of the most important economic regions in the world, and one of the lifebloods of that region is the electricity highway. I think since September 11 there are some significant strategic issues and public safety issues that we ought to—

*Interjections.*

**Mr Conway:** Mr Speaker, I am having difficulty here.

**The Acting Speaker:** Order.

**Mr Conway:** Nobody has made the argument and nobody seems willing to make the argument. We have here tonight Bill 58, which is a shell. It simply is silent on the substantive case as to what the government policy is going to be. Mr Eves said the day or so after the Gans decision, "Not to worry. We're going to challenge the Gans decision in court and we're going to proceed with the privatization of Ontario Hydro." That was reported in the press on the last Friday of April this past spring; I think it was Friday, April 26. Three or four days later, on the eve of the by-elections in Dufferin-Peel and Nipissing, Ernie Eves is quoted on the front page of the Toronto Star and the other provincial press, "The sale of Hydro One is off the table."

**Mr Bruce Crozier (Essex):** An election ploy.

**Mr Conway:** An election was looming. There's no question, by the way—

*Interjections.*

**Mr Conway:** I want some quiet. I'm not going to try to talk over all this, including Mr Wettlaufer and company. I'm not going to do that.

**The Acting Speaker:** If you're going to have private conversations, they had best take place outside.

**Mr Conway:** We were told, then, on May 2 that the sale of Hydro One was off the table. The question then remains, what is government policy? We have a bill that is silent on that, and typical of hydro policy over the decades, we're told again, "Pass the bill and details will follow."

Mr Stockwell was here tonight talking about consulting with the public. I'm going to just tell a little story. He came to my area. Without notice he came to the town of Arnprior, and the town council was very annoyed. They didn't know anything about his arrival. There was nothing in the public—there was a meeting advertised in Ottawa; nothing in Arnprior. I went to sit and listen to the submission.

2030

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** That's why they didn't roll out the red carpet.

**Mr Conway:** No, listen, I wasn't there to make trouble. I was interested to hear what was said. But I want to say, from a process point of view the meeting was really an insult, and the town council registered that complaint.

It was interesting to sit at the back of the room and listen to people when the minister asked them for comments. To his credit, since one of the few presenters was a very distinguished lawyer from Toronto with a very close association with the privatization of the electricity business—Mr Peter Budd just happened to be scheduled for the Arnprior hearing. I thought that was interesting. He's an estimable fellow. How he showed up at the Arnprior meeting was really the minister's doing. There were about three or four people who got on to the presentation schedule that day. At the end of the meeting, people in the room were asked for their opinion. A number of people—some of them I know very well and they are very closely associated with the Ontario provincial Progressive Conservative Party—said very clearly, "We do not support in any way, shape or form the sale of the electricity highway. Quite frankly, we really want to know why you're doing this and where you got the idea to do this." It was interesting listening to these people. It wasn't everybody, at the end of the meeting; I'd say it was just about 80% of the people who offered that opinion.

I've been going to more Hydro meetings than most people. What I find interesting, and have for months, is that it's mostly a middle-aged and, I suspect, pretty Tory crowd that's showing up. I went to a meeting a couple of months ago up in North York. I was astonished at who was there. Talking to people afterwards, many of them simply told me that they intend to vote Liberal. They were very, very annoyed and angry about this whole Hydro One business.

As democratically elected politicians, I would have thought we would all recognize, given the first-order importance of electricity to the economic and social well-being of Ontarians, that we have an obligation and a duty both as government and as a Legislature to clearly explain why we would want to change something as fundamental as the ownership of the electricity highway and give a clear rationale, in the public interest, as to why we're doing it. That has never been done to date. And there is nothing in the 1995 or 1999 Ontario provincial Progressive Conservative election platforms to suggest it.

So what are we left with? We are left with something that is clearly a muddle. There has been much talk in recent days around Hydro One and what's been going on over there. I don't want to spend too much time tonight on the developments of the last few days except to say that it is, for me, unbelievable, incredible, to have ministers of the crown tell me that they knew nothing

about what was going on with the executive compensation at these successor companies.

**Mr Wood:** What did Peterson know about Darlington?

**Mr Conway:** There was an active discussion about Darlington. There is absolutely no doubt our government had to amend its earlier position with respect to Darlington. That's fair comment and fair criticism.

There's a real irony about this situation. You know what I think we'll be doing in this province in the next three to five years? I'll make a little prediction. The real problem is in generation, and we're doing precious little to deal with it. Paul Vieira had an interesting piece the other day in the Financial Post, talking about the latest situation at Pickering. At last report, the rehabilitation of Pickering A—and remember, at Pickering A we've got roughly 2,000 megawatts of power that were supposed to come on stream not too long from now, but that's not going to happen for some considerable time.

**Hon Robert W. Runciman (Minister of Public Safety and Security):** We should have leased it.

**Mr Conway:** My friend the Minister of Public Safety says we should have leased it to someone. All I know is that we have a rehabilitation at Pickering A that is now months behind schedule and—get this, friends—\$1.5 billion above the estimated cost. I'll make this further prediction. Before it's done, we will have at least a year, a year and a half, in time delays at Pickering A, and I'm going to guess the cost overruns will be something in the range of \$2 billion.

**Mr Wood:** Compare that to Bruce.

**Mr Conway:** Listen, that's on your watch. Pickering A is the exclusive business, I say to you, Mr Wood, of your successor company, Ontario Power Generation.

You know what's interesting too about the Ron Osborne story today? Mr Osborne this year, in 2002, is going to receive a bonus of approximately \$587,000. That's a bonus, folks, and to some degree I guess it's a bonus related to performance. Well, two of the big issues at OPG in the last couple of years are making a good deal for the lease of the Bruce facility—more on that Thursday morning from the auditor, but I have a suspicion about what the auditor's going to tell us—and another big part of the OPG management responsibility in the last couple of years is managing the rehabilitation of Ontario Power Generation.

What have we got? Under Mr Wilson/Stockwell's management, with Ron Osborne as CEO, we've got a time delay of now months, but probably a year or a year and a half, and more importantly, a cost overrun today of \$1.5 billion. Is that why we're giving Mr Osborne a \$585,000 performance-related bonus for the year 2002? I'll tell you, there are a lot of electricity customers in the province who will be very interested to know more about that.

But let's talk briefly about Hydro One again, since Bill 58 essentially deals with enhancing or clarifying the government's ability to sell Hydro One. We had late this afternoon a press release from the board. The board, as of



late this afternoon, quit. We have been listening now for some days to Mr Eves and Mr Stockwell say, "We knew nothing about the Hydro One compensation issue." Well, in the press release released late this afternoon, the chairman of the Hydro One board, Sir Graham Day—and let me digress again. I remember three or four years ago when Jim Wilson was very proudly beating his breast, saying, "Have we got a world-class fellow to head up this successor company of ours. Sir Graham Day, with all kinds of private sector experience in Great Britain and elsewhere, is the man who's going to lead that board."

I didn't hear any of that today. But this was a board nominated by the Eves-Harris government. Every single member of the board at Hydro One was nominated to that position when Ernie Eves was Deputy Premier and when Mike Harris was Premier. They are the sole shareholder: the government. There are few things a board of directors would enter into that they would know to be more controversial and sensitive than executive compensation, and the government says, "We knew nothing." Actually, they're not saying that, because the Stockwell story changes every day.

**Mr Gilchrist:** Nice try.

**Mr Conway:** Well, it's true. I just heard him again out here tonight.

Let me tell you what Sir Graham Day says in his release. This is a very serious matter. Quoting Sir Graham: "The Ontario government has been aware of the changing compensation packages since the company," Hydro One, "was established in 1999."

Mr Speaker, let me say with all the directness that I can manage that somebody is not telling the truth. Somebody is not telling the truth about an important aspect of public responsibility. The truth cannot be as elastic and as flexible as it would have to be to fit both the Ernie Eves-Chris Stockwell version of events and the comments made by the former chairman of the Hydro board, Sir Graham Day.

I say this directly to my friends in this government, because for some seven years now we have heard the government say to students, to social assistance recipients and to the general community, "We are going to lead you into a world of more enhanced personal responsibility and accountability." It has been a pretty strong message and it has been particularly offered up to students and social assistance recipients with a great deal of vigour, frequency and élan.

**2040**

You believe in accountability and responsibility? Well, I say to my friends opposite, if you do, somebody is going to have to accept responsibility for this. I suspect that what I've got here is an Ontario version of Iran-Contra, that we have—

**Interjection:** Oh, come on now.

**Mr Conway:** Well, I have been a cabinet minister and I can tell you—

**Mr Gilchrist:** Open both the doors so he can get his head out when he leaves.

**Mr Conway:** No. Listen, I will excuse—

**The Acting Speaker:** The member for Renfrew has the floor.

**Mr Conway:** I think that one of the possible explanations is the doctrine of deniability we saw in the Reagan administration around Iran-Contra and what it is that Ollie North was doing in the basement of the White House. I cite as further evidence the following. On April 18 Deb Hutton, somebody I know well and have known for over 10 years, wrote, as I understand it, to all members of the Legislature. I know all my colleagues received this letter. Let me just cite some of what Ms Hutton said in her letter to me of April 18. She said,

"Dear Sean;

"As you know, on December 12, 2001, the government of Ontario announced its intention to privatize Hydro One, the transmission and distribution successor company of Ontario Hydro. On March 28, 2002, Hydro One Inc filed a preliminary prospectus with the Canadian Securities Administrators and the US Securities and Exchange Commission for the sale of Hydro One common shares owned by the province of Ontario.

"In the course of both our business and personal lives, Hydro One employees often get asked about what an IPO of Hydro One will mean for the company and its valued customers. In order to assist our employees in answering questions they may get from" families and friends, "we have prepared a list of 'frequently asked questions.'"

There are, on the attached memorandum of two pages, 10 frequently asked questions and answers. Let me just read question 8, with the response.

"8. I understand that Hydro One management is in favour of this deal because they will get rich at rate-payers' expense."

Answer—this is a suggested answer from none other than Debbie E. Hutton, vice-president, corporate relations, Hydro One.

"Hydro One management supports the IPO because it will give the company"—Hydro One—"access to equity for growth which it would not have if we remain government-owned. As for enriching management, the Ontario government has imposed a 24-month moratorium on the company issuing stock options as part of management's incentive plan."

It's very clear that in mid-April, about three days after the Eves government was sworn in and Mr Stockwell became the Minister of Energy, Deb Hutton was prepared to brief members of the opposition and I believe all members of the Legislature on aspects associated with the announced IPO, privatization, of Hydro One.

I'm asked now to believe that Deb Hutton didn't say anything to anybody in the Harris government that became the Eves government on April 15, particularly when now I have the collateral evidence of the former chairman of the board of Hydro One, Sir Graham Day, who tells us as of late this afternoon, "The government of Ontario has been aware of the changing compensation packages since the company, Hydro One, was established in 1999."

Well, somebody is not telling the truth.

**Mr Crozier:** Somebody knew something.

**Mr Conway:** Somebody certainly knew something, because it is clear that people at Hydro One were talking. It's also clear from Ms Hutton's observation that the government of Ontario did impose a moratorium on certain aspects of executive compensation for Hydro One as it prepared for privatization. So there was clearly a dialogue and at least one decision was made. There were not going to be any stock options allowed to management going forward for at least a 24-month period once the company was on its way to privatization. If that decision was made, what other decisions were made? It's clear from the evidence that a line of communication was established and the government made at least one important decision around executive compensation. Somebody is not telling the truth.

Under our system of government we have a responsible minister who has the duty, on behalf of the government and all taxpayers, to report to this House on the behaviour of a company that at this present time is a wholly owned subsidiary of the Ontario government. Somebody is not telling the truth.

I'm asked this afternoon, then, to pass a bill without even seeing the bill on first, second or third reading. We have not had a chance to caucus this, but I really don't care what my colleagues do. Do you think I'm going to vote for this?

**Mr Wayne Wettlaufer (Kitchener Centre):** Your House leader is cringing.

**Mr Conway:** Yes, I know John Robarts used to say that. I like to hear that from people over there.

I've got questions. Who's not telling the truth, and why? Again, if we were any kind of self-respecting Legislature or, better still, a Congress, we'd have hearings. There'd be none of this baloney. You would simply get the majority and minority leaders together and you would summon, and summon quickly, Minister Wilson, Minister Stockwell, Sir Graham Day and any other witness whom the community, as represented by that committee, felt had material evidence to tender. As a pathetic, totally dysfunctional, ass-backwards so-called Parliament, we do none of that. That's why we are in such a pathetic, catatonic, dysfunctional state around here.

**Mr Wettlaufer:** If this was China, you wouldn't even be here.

**Mr Conway:** We're not in China, and if that's where you want to go—

**Mr Wettlaufer:** You're not in the United States either.

**Mr Conway:** No, but I'm simply saying that we have today in the United States Senate and House of Representatives—

**Mr Wettlaufer:** Now you like the States?

**Mr Conway:** I like the States in this respect. You wouldn't get away with this in the United States.

**Mr Wettlaufer:** Just like a Liberal: take what you like.

**The Acting Speaker:** The member for Kitchener Centre is not in his seat.

**Mr Conway:** It's not that I like what I see in that part of the American system; it's what I want. I want truth and accountability, because somebody is not telling the truth about a very important material matter that affects every taxpayer and electricity customer in the province. I note that we have no mechanism. I again would appreciate—

*Interjection.*

**The Acting Speaker:** Order.

**Mr Conway:** I'm not going to compete with this. I was told to take my jacket out of here, I say to the member for Nepean. I want you to take your very good baritone voice out of my hearing range. I simply say that we don't have and apparently have no interest in having any kind of accountability. We talk about it.

Twenty years ago—I don't think Mr Runciman was here—I remember the day that Bill Davis walked into a hearing in the late 1970s to talk about the Denison contracts, which in retrospect were a total scam. It was kind of a laughing matter. Ten years later it was much less a laughing matter. The game we play, and you're playing it just as it's always been played here, is to just keep it moving. Promise today and worry about the accountability months and years from now, because, you know, it's just like good old Jimmy Wilson: he ain't around for this part of the accountability. To that degree, we've got a very nice, perfectly acceptable aspect of the deniability doctrine: "Hey, I just showed up on April 15. I know nothing about anything that preceded me." Do you want accountability? Let's have some.

**2050**

There are some very important discussions that need to be had here. I will say to my friends on both sides of the aisle that the real problems about which precious little is being done are over in generation, and the problems are serious if not intractable. I will make this prediction: within the next three to five years, we are going to be importing into this province more and more dirty mid-western American coal-fired electricity. That's where we're headed.

**Mr Wettlaufer:** The sky is falling.

**Mr Conway:** It's my prediction; it's not yours. We'll wait and see.

I've got to tell you, a big part of our reserve—

**The Acting Speaker:** The member for Kitchener Centre: if I have to speak to you again—

**Mr Wettlaufer:** I'll go to my seat.

**The Acting Speaker:** The member for Renfrew.

**Mr Conway:** There's a great foofaraw, a great kerfuffle about what is essentially a sideshow. The problem that's brought us to our knees is over in generation, and according to the Financial Post article I cited a while ago, nothing much has changed—months late and a billion and a half dollars over budget. Remember, the 2,000 megawatts at Pickering A is a big chunk of our reserve margin.



My question is, is there going to be any accountability? I've got Bill 58. I repeat: it's a letter without an envelope. What is the government policy on the future of the electricity highway? How can we possibly have this debate on Bill 58 without knowing what that government policy is? I've got the piecrust; I don't have the filling. I've got the shell; I've got no content. Unlike some of my colleagues, I accept there are a variety of opinions. I just want to hear the government take a position and articulate why, in the public interest, we should be selling this electricity highway, which this year will give us a profit of about \$375 million and undoubtedly will continue to do that well into the future.

Let me turn briefly to another part of the bill, the so-called consumer protection part. The government has done virtually nothing to assist the now nearly one million people who signed up with these retailers, and there's no retroactive provision in this bill. There's some retroactivity in the bill introduced today around getting at the old Hydro One board, but there's no retroactivity in Bill 58 to assist all those senior citizens and others who were scammed by these retailers, including our own retailer.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Harassed and everything.

**Mr Conway:** Harassed, lied to, forged—it's a real parade. And wait a few weeks; it's coming soon to a neighbourhood near you.

Many of my constituents are very annoyed that they signed up with Hydro One thinking they were staying with the public utility. Guess what? Having gathered up about 200,000 retail electricity contracts, Hydro One then sold the whole lot in late April to Union Energy, a wholly owned subsidiary of EPCOR of Alberta. How many of those 200,000 retail contracts that were entered into by Ontario customers would have been signed if those people, many of them older people, had known that was the government company's intention? A very large percentage would have kicked the characters off their front porch. The only reason they got into the kitchen was that they were there representing Hydro—a complete misrepresentation. And that's just the easy part of it.

I've had senior citizens tell me about Hydro One people coming in—and they weren't the worst, but I'll tell you that on a number of occasions they were as bad as people like Direct Energy. Can you imagine people walking into your aunt's or grandmother's or mother's apartment or home in north Waterloo or south Renfrew at about dark and asking to see a Hydro bill, and the minute it's offered up by some 75-year-old woman who is widowed, she is told, "If you don't do this, we'll cut your power off next week." Then some guy pulls a great big pair of scissors out of his pocket and starts snipping away at the Hydro bill and disappears. That happened in many cases. No protection. Nothing.

Yes, almost two years after it all started, the referee imposed a handful of fines on a couple of distributors, Hydro One being one of them, but absolutely nothing for the overwhelming number of cases. Many of my

constituents and many of my colleagues tell me, "Have you ever tried to call the energy board? Have you ever tried to get through? It's hopeless." So don't go there. Go someplace else. Go to the consumers' association or someplace else.

To be fair, in the last couple of weeks the government has started to put more useful information in the hands of customers, but it's too darned late for over a million people. I really worry that when a lot of people find out they've been robbed and scammed and otherwise preyed upon—and the best story of the lot is told by my friend Jean-Marc Lalonde, my colleague from Prescott-Russell and Glengarry, who has been the subject of, what, one or two forgeries?

**Mr Lalonde:** Two.

**Mr Conway:** He's got great stories about his remediation of that apparently criminal act.

There are a million contracts signed and, let me tell you, a lot of them that are dubious and many of them are just rotten. Again, we set out primarily to fix a problem in generation. There is virtually nothing in the government policy to deal with the growing challenge and pressure on the generation side of the electricity equation. Let me repeat: in this province over 50% of our cost, 80% of our trouble and 90% of our debt is in the generation business.

Transmission, the electricity highway—a vital public interest in the post-September 11 world of an enhanced strategic and security kind—is a really good business returning to the shareholder net profit of about \$375 million annually. Why, in the public interest, should we sell that part of the business?

Consumer protection? This bill is all about promise and very little about performance, and Bill 58 does nothing to help the nearly million customers who have been used, and many scammed, by unscrupulous marketers over the last two years.

**The Acting Speaker:** Questions and comments?

**Mr Gilchrist:** As always, it's delightful to hear from the member from Renfrew. He certainly raised a number of issues in the last hour, and one hardly knows where to start.

Early in his hour he talked about how terrible it was that the government, having approached this issue, decided not to go out and seek a mandate. A scant few minutes later he admitted, to heckling from across the floor, that while he was a minister and while they were the government, "Of course we changed our mind on Darlington, of course we spent billions more." I don't recall an election being held on that issue. In fact, I don't recall your ever suspending the business of the House because somebody introduced a new bill and said, "I know we have a mandate, I know that under our system we have a term of office, but somehow we're going to throw that out because we want to go out and have another public opinion poll." To apply a double standard here is typical, but totally inappropriate.

You talk about the Iran-Contra affair. What you're pursuing here is more like McCarthyism. Somehow

you're trying to seek a contradiction between the Premier saying he hadn't had a conversation with two people at Hydro and the fact that one of those people sent a form letter out with some pat Q&As. It's preposterous and should be beneath the member.

He talks about betting that we're going to be buying more dirty coal. Well, he's ignoring the fact that there's 2,000 megawatts of power coming back on line at Pickering, 2,000 megawatts that either have recently or are about to come back on line at Bruce and 3,000 megawatts of private power under construction or, in some cases, just opened all across southern Ontario, enough power to run one and a half cities of Toronto.

2100

Finally, I was really struck—and I don't suggest I have great culinary skills—that the member opposite decried the fact that what we have here is not the pie filling, that we don't have the filling yet, that we haven't made our minds up about Hydro and, "Darn it, you're giving me the shell." I don't know what kind of pies you or your mother ever made, but you always come up with the shell first and then you put in the filling.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My colleague has indeed touched on many aspects that are so critical to Bill 58 and to electricity policy in particular. One point he began with that I want to re-emphasize and that I think all of us have to keep in mind constantly, from both a political and an economic perspective, is that electricity is a unique commodity, unlike any other—unique, as my colleague has said, because it cannot be stored against those high-demand days, those hot summer days that we know are coming, and unique as well because it's something we must have; we cannot choose to go out and buy it.

It is for exactly those reasons that electricity does not respond to market economy principles in the same way as selling nails at a hardware store would, I say to my colleague from Scarborough East. If there's a run on nails, you can gear up the production of nails to meet the needs. That is another way in which electricity is a unique commodity. You cannot produce it in order to meet the growing need with any assurance that the supply will meet the demand.

The other aspect of it is that our friends to the south of us have no particular need for Ontario-made or Canadian-made nails. They're quite capable of producing enough nails to meet the growth in their economy all by themselves. That is less likely to be true of electricity. One of the huge concerns we have about the sale of the transmission grid is that it is contemplated to be sold by this government in the context of deregulation of an essential commodity that is already in scarce supply. This government should stop being so sanguine about whether in fact we have enough supply. As my colleague has said, the real problem is in generation, and there is absolutely no assurance offered by this government that there is going to be any protection of domestic supply to meet our needs any more than there is any business case to be made for the sale of Hydro One on its own merits.

**Mr Howard Hampton (Kenora-Rainy River):** I'm always interested to hear the energy critic for the Liberal caucus speak on this issue and I'm always interested to learn from one day to the next what the Liberal position will be. May I say that it has taken the Liberals some time to get here. When the government announced on December 12 that they were selling off Hydro One, the leader of the Liberal Party said he was all in favour of that. It has taken some time for the Liberals to get here, but I'm happy they finally got to this position.

What I think is interesting about this is that the government has not in fact put forward a case, any kind of business case, any kind of institutional case, for why it should be selling off what is a natural monopoly. If the argument is that somehow a natural monopoly will operate more efficiently in private hands than it operates in public hands, I want to hear that argument from the government. But we haven't heard that. If the argument is that selling off Hydro One is somehow going to put the hydro ratepayers in a better position financially, we haven't heard that argument either. If the government's position is that somehow this is going to improve hydro transmission and distribution, then that case needs to be made. But in fact the government hasn't made that case either, and that's why we're here.

**Mr Al McDonald (Nipissing):** I might be the new kid on the block, but I have sat here all evening and I've heard half-truths and innuendo. I must credit the leader of the third party: he stuck to his guns. He stated that he doesn't want to sell North Bay Hydro. Yet I hear that the leader of the official opposition stated back in December that he wants to sell North Bay Hydro.

*Interjections.*

**Mr McDonald:** "Oh, just a minute, I think I made a mistake. I made a hasty decision. I should change my mind and now we're not going to sell Hydro." My concern would be that maybe in a couple of months he might change his mind and say, "Do you know what? I've changed my mind again." What the Liberals should do, maybe, is to take a lesson from the NDP and at least stick to their guns. Mr Hampton should take credit. He's the one who stood up and said, "I'm not going to sell Hydro." That's very clear.

I think where the Liberals have something in common with the NDP—

*Interjections.*

**The Acting Speaker:** Stop the clock. This can't go on. If members want to do this, they should go outside, not here.

*Interjection.*

**The Acting Speaker:** You're going to go pretty soon, member for Essex.

The member for Nipissing.

**Mr McDonald:** Thank you, Mr Speaker. What the Liberals have in common with the NDP is all this fear-mongering. All you're hearing is, "The rates are going to go through the roof and the lights are going to go off." I think the people of Ontario are intelligent enough and would want their representatives to look at all the options



and maybe listen to the people and say, "What is the best option for the people of Ontario?"

I hear Mr Conway state that he prefers the US style of government, with Congress. I can tell you that the people of Nipissing don't want to hear a representative say they'd prefer the US way of doing business in Canada. I think the people of Nipissing would prefer to have this Queen's Park and parliamentary system.

**The Acting Speaker:** The member for Renfrew in response.

**Mr Conway:** The people of Nipissing preferred Mike Harris and Merle Dickerson, so who am I to say that they don't know what they are about?

Let me just conclude by making this observation. The electricity highway is one of the most valuable assets that the people of Ontario own. It was put together by generations of Ontarians: our parents, our grandparents. Let me tell you, it was the subject of at least a half-dozen provincial general elections from about 1920 to 1950. It was an enormously important and at times controversial business. I repeat: it is today one of the most important and valuable public assets. There will not be a second one. Once it is sold, it will never come back.

Why, in the public interest, should that electricity highway be sold? I stand here tonight and say to the government: you are honour-bound to say to this Legislature and the people of Ontario why in the public interest should this one and only electricity highway, worth billions of dollars, so central to the economic and social well-being of every Ontarian, be sold to private interests.

Imagine, if you will, a Premier of Ontario standing up without notice and saying, "Tomorrow we will put on the block Highway 401 from Windsor to Cornwall and Highway 400 from Toronto to wherever." Can you imagine the fury from the business community and others about that? And there are alternatives to the 401 and 400. There's rail and air transport. The electricity highway is unique in that it has no alternative, and it is very important that in the public interest it remain in public hands.

**The Acting Speaker:** Further debate?

2110

**Mr Hampton:** Bill 58 is this government's legislation which will allow it to privatize Hydro One. The government has said they haven't really decided about privatizing Hydro One. But I listened earlier tonight to the minister's speech and I listened to the member for Scarborough East and it is, oh, so clear when you listen to their speeches that that's exactly what it's about. The government doesn't have the courage to come out and tell people that, so they're going to dress it up as, "Oh, this is only enabling legislation." But if you listen to their speeches, it's very clear: the government intends to sell off one of the most important public assets of our province. That's how I think this debate needs to be couched and that's how it needs to be very clearly couched.

I want to speak to those people at home who perhaps don't understand the A to Z of this, and I want to speak to them about why this is such an important debate.

Let me begin by making the point that electricity is absolutely essential to our economy today and electricity is absolutely essential to our capacity to participate in society. It's always been important, but if you think about all the computerization, all the automation, all the additions of information technology over the last 15 to 20 years, all of which run on electricity, you'll get a sense of how essential electricity is to our lives.

Just as an example, try to run a computer on coal or natural gas. It doesn't work. The whole information technology industry runs on electricity. The whole telecommunications industry runs on electric pulses. Or think about more rudimentary things, like how do you keep food in a refrigerator without electricity? How do your children come home at night and do their homework if you don't have electricity? Electricity is absolutely essential to the modern economy. It's absolutely essential for people to be able to participate in society.

But there's something else that's unique and special about electricity. You listen to the government members and they'll say, "This is like making widgets or making cars." But you know it's not. Let me give you an example. We all know what happened in California and we know what happened in Alberta after deregulation and privatization. Prices went through the roof.

Let's take cars for a second. If General Motors, Ford, Chrysler, Nissan, Hyundai and Toyota all got together and doubled the price of cars, people would still have a choice. You could keep the car you've got and fix it up, you could buy a second-hand car or, maybe if you live in an area with public transit, although that's becoming more and more scarce under this government in Ontario, you could take the bus. But you'd have some alternatives to being forced to pay double the price.

Electricity is different. What people discovered in California was that when Enron and the other corporations that participated in the Enron scandals forced up the price of electricity, doubled it, tripled it, quadrupled it, people had no choices. They had no options. People had to pay the price. That's why we should take real care with discussions and decisions about electricity, because you're dealing with something that is an absolutely essential service and yet there are no substitutes for it.

Someone would say, "I could convert to propane lights." Yes, over a period of a couple of years you could spend perhaps a few thousand dollars and convert to propane lights. That might work for a few people. It certainly wouldn't work for the 11 million people in Ontario. It certainly wouldn't work for all of our heavy industries. A few people might be able to do something different, but if you're talking about all of our electricity-dependent industries in Ontario and you're talking about the more than 11 million people who live in Ontario, they wouldn't have a choice. If the same thing happened here as happened in California, where the corporations got their hands on the hydroelectricity system and then

manipulated the market, created an artificial shortage of electricity by withdrawing some of the generating capacity, by shutting down some of the generating capacity or by shifting some of the electricity out of the state to create that shortage in California, people would have no choice but to pay those much higher prices.

There's another reason we should be careful with this. It has to do with bringing on a new supply of electricity. Building transmission and distribution lines and building generating stations doesn't happen overnight. Let's assume this government gets its way, is able to privatize transmission and generation, and a profit-driven company borrows the Enron swindle strategy, the Enron market manipulation strategies, and sends more of the electricity south to the United States or shuts down some generating stations or creates some transmission bottlenecks so the price goes through the roof and people are forced to pay four, five or six times as much for their hydro; that problem couldn't be undone overnight.

This government says, "Oh well, companies will come in and build new supply." Some profit-driven companies might be interested in building new supply, but I can tell you it will take three, four or five years to bring that supply on line. What's to happen to people in the meantime? Are they just going to pay these much higher prices? That's what people in California found out. That's what people in Alberta found out, and in Montana, Pennsylvania, New York and Massachusetts. Prices were forced through the roof by this kind of market manipulation and people had no choice but to pay much higher prices.

I just repeat again that this is an essential service. It's essential for the coordinated functioning of our economy. It's essential if people are to be able to participate in society. If we're going to make decisions about this, we'd better make them thoughtfully and carefully, not on the basis of someone's half-cocked arguments.

What is so interesting about this government's strategy to privatize not only the transmission and distribution, Hydro One, but also the generation, is that it's never really been subjected to a debate. If you go back and look at the Common Sense Revolution in 1995, nowhere did the Common Sense Revolution say the government was going to privatize Ontario's hydro-electricity system. They talked about some competition, but they didn't define it, didn't say what it meant, didn't say what it would be like in the context. Nowhere did they talk about privatizing what I would regard as Ontario's most important, most valuable asset, something that is a strategic underpinning of the economy—no debate; no discussion; not even any statement in their so-called Common Sense Revolution.

Then fast-forward to 1999 and the Conservative government puts out something called their Blueprint. As a citizen of Ontario, I invite you to go look at the Blueprint. Nowhere in the Blueprint does it say the government intends to privatize transmission, nor does it say the government intends to sell off all of the generation system.

In fact, we have never had a debate in this Legislature or anywhere else about that concept. So here we have a government that wants to sell off Ontario's most important and most valuable economic assets with no debate, no discussion, no analysis, and finally, with no public commentary or public opportunity to voice a decision in this.

Just to give you an idea of how strange this is, if you were living in Manitoba and the government there proposed to sell off Manitoba Hydro, they would have to submit to a binding province-wide referendum. If the same government wanted to do this in Manitoba, they would have to consult the people. They would literally have to go to the people of the province and say, "This is the idea. We want your opinion and your views on what should be done and we are bound by your decision."

2120

But here in Ontario, the government proposes to sell off these most important economic assets, assets which could drive people's hydro rates through the roof, a privatization which could result, as it did in California, in all kinds of unreliability and unpredictability in both supplies of hydro and the price of hydro—a decision which could set the table for the same kind of market manipulation people experience in California. And yes, now they're experiencing it in Alberta. Read the most recent editorial from the Red Deer newspaper. The government is proposing to do this without any discussion whatsoever. In fact, the only reason we're here discussing it now is because two trade unions took the government to court and the judge who heard the decision said, "You're right. This government doesn't have the legal capacity under the Energy Competition Act to do this." Two bodies that represent people in this province had to take the government to court just to get this debate. That is, in a nutshell, why this is so important.

There are several aspects to this, and by way of background I want to talk about those various aspects and link them together. We need to recognize in this whole debate that Ontario in fact is semi-surrounded by a number of US states which have a history of being electricity-short or have the potential to be electricity-short. If you reflect over the last 25 or 30 years, you've heard about the New York brownouts, the New England brownouts. You heard George Bush come to Quebec a year ago in the summer and deliver his speech that the United States needed to access more electricity. In fact, he said that not only did the United States need to access more electricity, but more oil and more natural gas, and they would be happy to take it from Canada. You heard Dick Cheney come here to Toronto and say that in the pursuit of acquiring more electricity, the United States would be happy to build the transmission lines to access Ontario's electricity.

When we discuss this, you have to put it in the context that we are semi-surrounded by American states who have said very clearly that they would love, want to access, our electricity. So it's not just a question of, do



we have enough supply for Ontario, but given this government's penchant to privatize it, do we also have enough supply for New York, Massachusetts, Pennsylvania, New Jersey, Michigan and Illinois, because that's what this government has in mind.

If you want to see that for yourself, one of the very interesting things about the privatization prospectus, the document the government put forward which was supposed to enable the privatization—in fact, go to page 48 or page 49 of the prospectus, where the government says that the financial strategy here of selling Hydro One is to then build new transmission lines under Lake Erie, enhance the transmission lines in the Niagara Peninsula, which connect us to New York, enhance the transmission lines in Windsor and Sarnia, which connect Ontario into Michigan, allow other transmission lines to be built under the St Marys River at Sault Ste Marie, to connect lower-cost, lower-priced electricity generating stations in Ontario with the more lucrative market in the United States. It says right in the Hydro One prospectus this is about shipping Ontario's electricity south.

I've challenged the government. I've said to the government, if you're going to turn electricity into a "tradable item" now, if you're going to deregulate the market, privatize generation and privatize transmission and make it possible—in fact, not just make it possible but as part of the financial strategy, the corporate strategy of the privatization, to ship the electricity south—then with the North American free trade agreement and the free trade agreement and the WTO agreement, do you have any legal analysis showing what the repercussions would be for Ontario consumers? The government says no—they have no legal analysis, no legal opinions.

Again, because I think this needs to be an informed debate, a thoughtful debate, one where people actually have a chance to think about all the options, I persuaded my colleagues to commission a legal analysis from a trade lawyer, a well-known trade lawyer, Mr Steven Shrybman. Mr Shrybman has provided us with a legal analysis, a very hefty legal analysis, where he says that if you combine Hydro privatization of both the transmission and the generation with the fact that you've got a number of electricity-short jurisdictions in the United States or potentially electricity-short jurisdictions in the United States, and then combine it with the North American free trade agreement, by following this government's strategy, Ontario essentially would be giving up

control over our most important economic asset, over a strategic underpinning of our economy.

What he points out in the legal opinion is that right now we essentially have a public utility in Ontario. Hydro has been a public utility just as Hydro-Québec is a public utility, just as Manitoba Hydro is a public utility, just as Saskatchewan Power is a public utility, just as BC Hydro is a public utility. They are all dedicated to providing electricity to the residents and the industries of their jurisdictions essentially at cost. If they've got a surplus from time to time, they may sell that surplus into another market, but the basic reason for being is that they are there, dedicated to serve the consumers in the province and the industries in the province.

He points out in the legal opinion that as long as you run your hydroelectric system like that, as a public utility, you are exempt from some of the more draconian provisions of NAFTA. In other words, you can actually have a two-price system. You can sell cheap to your residents and you can sell more expensive into the export market.

You can also control exports. As long as you maintain it as a public utility, you can say, "We need all this electricity and we're only going to sell this small amount of surplus to you in New York or to you in Massachusetts or to you in Detroit." But he says that should you privatize and deregulate, then you are caught by the really serious, draconian rules of NAFTA, one of which says that you can't have a two-price system any more. NAFTA essentially says that once you privatize something like hydroelectricity and deregulate it, then you have to let the market decide what the price is.

I can tell you right now, in a privatized deregulated system, demand and price will essentially be determined in the New York-New Jersey-Philadelphia-Baltimore-Washington corridor on the New England side, and it will essentially be determined in the Detroit-Gary-Chicago-Milwaukee corridor in the Midwest, because that's where you literally have several tens of millions of consumers concentrated and you have industries that, frankly, consume all that electricity.

I see it's 9:30 of the clock, so I will resume my conversation when next we meet.

**The Acting Speaker:** It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2130.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)		
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Beaches-East York	Prue, Michael (ND)	Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)		Chudleigh, Ted (PC)
Brampton Centre / -Centre	Spina, Joseph (PC)	Halton	Agostino, Dominic (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Hamilton East / -Est	Bountrogianni, Marie (L)
	Levac, Dave (L)	Hamilton Mountain	Christopherson, David (ND)
Brant	Murdoch, Bill (PC)	Hamilton West / -Ouest	Dombrowsky, Leona (L)
Bruce-Grey-Owen Sound	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs	Hastings-Frontenac-Lennox and Addington	
Burlington	Martiniuk, Gerry (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Cambridge	Hoy, Pat (L)		Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham-Kent Essex	Ruprecht, Tony (L)	Kenora-Rainy River	Gerretsen, John (L)
Davenport	Caplan, David (L)		
Don Valley East / -Est	<b>Turnbull, Hon / L'hon David</b> (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	Kingston and the Islands / Kingston et les îles	Wetlaufer, Wayne (PC)
Don Valley West / -Ouest	<b>Eves, Hon / L'hon Ernie</b> (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Kitchener Centre / -Centre	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Dufferin-Peel-Wellington-Grey	O'Toole, John R. (PC)	Kitchener-Waterloo	Beaubien, Marcel (PC)
Durham	Colle, Mike (L)	Lambton-Kent-Middlesex	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Transportation / ministre des Transports
Eglinton-Lawrence	Peters, Steve (L)	Lanark-Carleton	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Elgin-Middlesex-London	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Leeds-Grenville	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Erie-Lincoln	Crozier, Bruce (L)		Wood, Bob (PC)
Essex	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Environment and Energy, Government House Leader / ministre de l'Environnement et de l'Énergie, leader parlementaire du gouvernement	London North Centre / London-Centre-Nord	Mazzilli, Frank (PC)
Etobicoke Centre / -Centre	Hastings, John (PC)	London West / -Ouest	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
Etobicoke North / -Nord	Kells, Morley (PC)	London-Fanshawe	
Etobicoke-Lakeshore	Lalonde, Jean-Marc (L)	Markham	
Glengarry-Prescott-Russell			



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga Centre / -Centre	Sampson, Rob (PC)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Associate Minister of Health and Long- Term Care / ministre associé de la Santé et des Soins de longue durée
Mississauga East / -Est	<b>DeFaria, Hon / L'hon Carl</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Scarborough-Agincourt	Phillips, Gerry (L)
Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Mississauga West / -Ouest	Snobelen, John (PC)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Associate Minister of Francophone Affairs, chief government whip, deputy House leader / ministre associé des Affaires francophones, whip en chef du gouvernement, leader parlementaire adjoint	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	St Catharines	Bradley, James J. (L)
Niagara Falls	Maves, Bart (PC)	St Paul's	Bryant, Michael (L)
Nickel Belt	Martel, Shelley (ND)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Labour / ministre du Travail
Nipissing	McDonald, Al (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Northumberland	Galt, Doug (PC)	Sudbury	Bartolucci, Rick (L)
Oak Ridges	Klees, Frank (PC)	Thornhill	<b>Molinari, Hon / L'hon Tina R.</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oshawa	<b>Ouellette, Hon / L'hon Jerry J.</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Gary J. (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Ottawa-Vanier	Boyer, Claudette (Ind)	Trinity-Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan-King-Aurora	Sorbara, Greg (L)
Parkdale-High Park	Kennedy, Gerard (L)	Waterloo-Wellington	Arnott, Ted (PC)
Parry Sound-Muskoka	Miller, Norm (PC)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Perth-Middlesex	Johnson, Bert (PC)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Peterborough	Stewart, R. Gary (PC)	Windsor West / -Ouest	Pupatello, Sandra (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Finance / ministre des Finances	Windsor-St Clair	Duncan, Dwight (L)
Prince Edward-Hastings	Parsons, Ernie (L)	York Centre / -Centre	Kwinter, Monte (L)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	York North / -Nord	Munro, Julia (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
Sault Ste Marie	Martin, Tony (ND)	York West / -Ouest	Sergio, Mario (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)		
Scarborough East / -Est	Gilchrist, Steve (PC)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

Tuesday 4 June 2002

### SECOND READINGS

#### **Reliable Energy and Consumer Protection Act, 2002,**

Bill 58, *Mr Stockwell*

Mr Stockwell..... 639

Mr Gilchrist.....646, 649, 657

Mr Christopherson ..... 649

Mr Spina..... 649

Mr Conway .....650, 659

Mrs McLeod..... 658

Mr Hampton.....658, 659

Mr McDonald..... 658

Debate deemed adjourned ..... 661

### OTHER BUSINESS

#### **Speaker's ruling**

The Acting Speaker..... 639

## TABLE DES MATIÈRES

Mardi 4 juin 2002

### DEUXIÈME LECTURE

#### **Loi de 2002 sur la fiabilité de l'énergie et la protection des consommateurs,**

projet de loi 58, *M. Stockwell*

Débat présumé ajourné..... 661













